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Testimony before the Senate Judiciary Committee on H.B. 2353

Chairwoman Warren and members of the Committee:

I come before the Judiciary Committee today to testify in support of H.B. 2353.

For the past year, I have had the privilege of working with legal and treatment staff from the Department of Aging and Disability Services, district judges, and representatives of those living with mental health issues to enhance our ability to provide outpatient treatment services to those living with mental illness.

Kansas law requires county and district attorneys to represent petitioners in involuntary commitment cases filed pursuant to K.S.A. 59-2946 *et seq.* In my jurisdiction, as well as a number of others across the state, our goal when we file a care and treatment case is not to lock someone dealing with mental illness away in a hospital for as long as we possibly can, rather we want those patients to stabilize so that they can return to the community. Our experience shows that many of the patients we engage with can return to the community and be productive members thereof. As of March 15, 2024, Wyandotte County is on pace to file 32.24 percent more care and treatment cases in 2024 than in 2023.

When we are unable to get help for members of our communities who struggle with mental illness, we often encounter them in the criminal justice system, which quite frankly is ill-equipped to deal with mental health.

One of the ways in which we attempt to keep mentally ill persons out of the criminal justice system is by placing patients who have stabilized enough that they no longer need inpatient care, but still need mental health support, on outpatient treatment orders. Until now, an outpatient treatment order could only happen after a person struggling with mental health issues had been inpatient. HB 2353 adjusts the criteria for an outpatient treatment order to allow a district court to place someone on outpatient treatment orders at any time after a case is filed. Being able to provide care in the least restrictive environment that provides for the safety of the patient and the community, allows the courts to reduce the trauma experienced by those with mental health struggles, which often results in more successful recovery.

The adoption of this legislation will be of great benefit to our communities.