

House Bill No. 2295
Testimony for the Committee on Corrections and Juvenile Justice
February 13, 2023

My name is Randy Regehr, and I'm the Director of Reno County Community Corrections and the President of the Kansas Community Corrections Association. I am testifying in opposition to House Bill 2295.

In the initial reading of this bill it appears to be a good idea. We want the people who live with probationers and parolees to be actively engaged in the person's supervision. We want them to influence the person to be responsible, remain sober, maintain employment, reside where they're supposed to live, and abide by a curfew as required. This is all part of the person on supervision changing their behavior to be a productive citizen.

There are two primary factors leading us to oppose this bill. First, this bill requires already overtaxed probation staff to notify people living with the probationer that they will be subject to criminal penalties for failing to provide information. Community Corrections agencies are already struggling to meet State requirements. The Department of Corrections implemented a new data system which is significantly more labor intensive for officers. This system, for example, requires nearly thirty mouse clicks just to enter one drug test on one offender. We're asking officers to do more and spend more time with very difficult people to help them change their behavior. Officers also have to enforce court orders, assess and refer people to the appropriate interventions like substance abuse and mental health treatment, and we're asking them to verify attendance and progress in all these programs. Officers simply don't have time for additional duties which don't directly impact the person's criminal thinking and behavior. Not only would officers be required to notify the family initially of curfew restrictions they would also have to notify them every time restrictions changed.

Part of an officer's job is to build rapport with the person on supervision and their family or natural supports. Officers need to influence the family and people the person on probation lives with to point the probationer in the right direction. We need their support and we need them on our side rather than opposed to what we're trying to do. This bill changes the relationship officers are trying to create. Rather than working together for the success of the person on probation, this bill creates a conflict. On one hand we're saying we want to work together and help, and on the other hand there is a threat that the person will be charged with a crime for failing to provide information. This creates a lack of trust for what the probation officer is trying to achieve. If the probationer is living with antisocial family or friends they are going to ignore this law and then who will be required to enforce it? How will a probation or law enforcement officer prove the case and how will this positively impact the probationer?

Housing instability is the second primary factor in opposing this bill. Many people on supervision live with housing instability. They often rely on family or friends to give them a place to live and to support them. These family and friends will be less likely to take in a probationer if they then become responsible for monitoring and reporting their behavior. If probationers can't live with positive supports they resort to residing in negative environments or it's up to the probation office to find and potentially

pay for a safe and sober place for the person to live. Probationers continual moving also creates more work for officers to track down and advise other residents of the requirements and penalties.

While the intent of this bill is worthy, it actually acts to penalize the people trying to help a person on probation. Rather than consequences falling directly on the probationer for bad behavior their family or support people receive the penalty. The bill also adds duties to probation staff they don't have time to effectively fulfill. We do not believe this bill will result in positive behavior change in probationers, reduce recidivism, or create safer communities. We would request this committee not approve this bill moving forward.

Thank you for your time, I'm happy to stand for any questions.