

January 6 2024

I, Ellen Johnson, am submitting testimony against the inclusion certain language excluding certain types of incarceration from good time credit for offenders sentenced in Kansas, and advocating for removal from HB2654.

Language to be removed:

(2) When computing the defendant's sentence, the following shall not be considered time spent incarcerated pending disposition of the defendant's case:

- (A) Any time awarded as jail credit in another case;
- (B) any time spent incarcerated in another county or jurisdiction; and
- (C) any time spent incarcerated in another case in the same county if the defendant remains on bond in the case being sentenced.

I feel it is unnecessary, wasteful, and trivial to nitpick existing law in order to add days or months to an offender's sentence.

This bill will have no effect on offenders relative to deterrence and will not reduce crime in any way, and the small amounts of time added to an offender's sentence will not serve as a significant motivator to reformation, nor is it likely to add blocks of time large enough to permit or make possible more participation in existing rehabilitation programs within KDOC, neither on the whole, nor for any individual sentenced in the state of Kansas.

Inclusion of this language and subsequent change to the law serves no benefit to to the people of the state of Kansas.

This will not help any person and this will not help any community, however it will increase the burden of KDOC and District Court administration for the money spent to house these individuals and to implement these changes administratively.

This will also, because it makes the law more complex and not more simple, allow for a proliferation of court hearings and motions in courts across Kansas in which offenders will have reason to argue the application of this

law, thus, again, increasing the burden on our state's judicial system and district attorneys as well.

This is a bad idea.

While district attorneys may be able to see individuals incarcerated for a significant period longer relative to their sentence if this language is included and this law is passed, this will result in many decades, if not ultimately hundreds of years (assuming this involves thousands of offenders over time) more years of incarceration in KDOC when taken as a sum of individual offenders' sentences and this sum is an unnecessary burden on KDOC, the state of Kansas, and taxpayers, and administration implementation of expensive new rules is an even greater burden on the courts and the criminal justice system, and hence the community.

The money spent adding 2 weeks to 90 days or so to hundreds of offenders' sentences when no one in the state of Kansas is holding a pitchfork and complaining that present sentences for crime are too lenient, is better spent by expanding and improving rehabilitative programs and access to those programs in Kansas prisons, building on the very effective drug treatment program at TCF and investing in the proliferation and expansion of similar drug treatment programs in state and county facilities in Kansas, and growing our specialty/crisis court programs across the state, especially for people with high level drug offense and significant criminal history, because those are the people I have seen reach the greatest success in crisis courts where it has been possible, and that is the best way to face the frightening fentanyl crisis that plagues the nation.

We are doing nothing by choosing to spend hundreds of thousands of dollars nitpicking regulations so we can put some guy away for 90 more days and spend thousands per month that he is locked up, when low level drug dealers, who are all addicts themselves, can actually be stopped from selling drugs to our friends and family and communities by providing drug treatment, supervision, and wraparound mental health and social services to reintegrate them into society either directly from the streets and bypassing incarceration, or as a part of reentry.

People are dying, we need to consider real answers to real problems and spend this money saving lives and not waste our legislators' time with trivial legislative mechanics such as this.

We need simple laws that work and have a purpose, not frequent and complex changes to existing laws that create undue burdens on the people and on the government that serves us.