

Office of the
WYANDOTTE COUNTY
DISTRICT ATTORNEY



DISTRICT ATTORNEY
Mark A. Dupree, Sr.

29TH JUDICIAL DISTRICT OF KANSAS

The Honorable Fred Patton, Chairperson
House Judiciary Committee

Hearing Date: January 25, 2023

**TESTIMONY OF WYANDOTTE COUNTY DISTRICT ATTORNEY MARK A. DUPREE,
SR. REGARDING HB2028**

Chairman Patton and Members of the Committee:

I am the duly elected and serving Wyandotte County District Attorney. Prior to this position, I worked in private practice in a firm with my wife, Shanelle Dupree. My primary practice area was criminal defense. The majority of my work has been in the Kansas City Metropolitan area, and a significant portion of that has been on the Kansas side. Thank you for the opportunity to speak on House Bill 2028.

Since taking office in Wyandotte County in 2017, I have implemented an expungement program for people who have been convicted in Wyandotte County. In June of 2019, the Wyandotte County District Attorney's Office began offering expungement clinics. Since then, over 500 people have contacted my office about getting an expungement. The people who call my office wanting expungements are hoping to achieve better housing, better employment, better stability in their lives. That is exactly what automated expungement would do for Kansans: make it easier to take the next step towards becoming productive members of Wyandotte County and the State of Kansas. Automated expungement would help not only the specific individuals, but also would help our community as a whole. It is with this background and knowledge that I offer my support for House Bill 2028, amending K.S.A. 21-6614 to grant automated expungements in certain dismissals, diversions, and not guilty cases.

One in three American adults have a criminal record. That is one in three people who likely have a harder time obtaining employment. That is one in three people who, if unable to get a meaningful job they so desperately need to maintain a stable lifestyle, may resort to further criminal activity in order to make ends meet. As unemployment is directly correlated with criminal recidivism, an expungement could be key to stopping the cycle we so often see in individuals that reoffend. A steady job often equals a more productive lifestyle. Automated expungement is aimed at tapping into that equation.

Automatic expungement allows some of those one in three people that have paid their debt to society and are ready to move on with their life in a positive way to achieve expungement efficiently. Ensuring justice is served in Wyandotte County and across the State of Kansas means

Office of the Wyandotte County District Attorney
Address: 710 N. 7th Street, Suite 10, Kansas City, Kansas 66101-3051
Telephone: (913)573-2851 * Fax: (913) 573-2948

that we need to be doing all we can to make our State safer. Automated expungements aid that goal. By automatically filing expungements, the government is helping our citizens gain and maintain employment opportunities, stabilize their family structure, and improve their chances of a productive life. This in turn helps makes Kansas a safer and better place to live.

One of the biggest obstacles for citizens that my office observed when starting our expungement processes, was that individuals desperately want to follow the process correctly, but do not know how to navigate the court system to get them. Attempting to complete any action in court can be difficult, and having to do the entire process without an attorney can feel impossible. Many individuals do not have the funds to have a lawyer assist them. The forms are confusing to people if they try to proceed on their own. Even if they can figure out the forms successfully, the filing fee stops many people from applying. Automated expungement would eliminate that confusion for people who have never been found guilty by a court.

CONCLUSION

In conclusion, HB2028 will make it easier for Kansans to regain productive and stable lives. By automatically expunging the dismissals, diversions, and not guilty findings of those offenders who qualify, we are not only helping those individuals, but helping the community as a whole.

Sincerely submitted,

Mark A. Dupree, Sr.