



STATE OF KANSAS  
Tenth Judicial District

## OFFICE OF DISTRICT ATTORNEY

STEPHEN M. HOWE, DISTRICT ATTORNEY

Chair Kellie Warren  
Senate Committee on Judiciary  
Re: House Bill 2192

March 13, 2025

Dear Chair Warren:

My name is Will Hurst, and I am an Assistant District Attorney in Johnson County. I have served as a prosecutor for over 18 years. I supervise our Domestic Violence Unit and have personally handled hundreds of domestic violence cases during my career. I am a native Kansan from Goddard and a proud graduate of Fort Hays State University.

My purpose in writing to you today is to express my full support for House Bill 2192. The bill increases penalties for domestic violence abusers who commit multiple violent acts within a short period of time. Its passage will send a strong message to both abusers and victims that such behavior will not be tolerated in our State.

K.S.A. 21-5414 governs the crime of Domestic Battery.<sup>1</sup> Domestic Battery requires that the offender either cause "bodily harm" to the victim or make physical contact with the victim in a "rude, insulting, or angry manner." A first time conviction for Domestic Battery is a class "B" misdemeanor with a maximum jail sentence of 6 months. While a first-time conviction requires a jail sentence of at least 48 hours, there is no requirement that any of that jail time actually be served. In Johnson County, rarely does a first-time offender serve any jail time as part of their sentence.

If an offender is convicted of a second Domestic Battery within 5 years of their first conviction, then the offense is a class "A" misdemeanor with a maximum sentence of 12 months. The offender is required to be sentenced to 90 days, but only 5 of those days must actually be served. Under the current law, an offender can serve the 5 days in a work release program after serving only 48 hours in jail.

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<sup>1</sup> K.S.A. 21-2414(a)&(c)

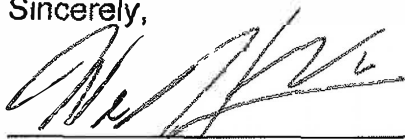
If an offender is convicted of a third Domestic Battery within 5 years of their first conviction, then the offense is a "non-grid" felony with a maximum sentence of 12 months. The offender is required to be sentenced to at least 90 days. The offender is also required to serve 90 days in jail, but he or she can serve the 5 days in a work release program after serving only 48 hours in jail.

The basic question before this Committee is whether 48 hours of actual jail time is sufficient for an offender who has committed multiple, violent crimes within a short period of time. HB 2192 in its current form requires that a second time offender serve at least 20 days in jail before participating in a work release program, and a third time offender serve at least 90 days before doing so.

I wholly support such changes. There is no doubt that work release programs have their place within our criminal justice system. In my opinion, however, such programs should not be made available to such offenders until they have served an adequate punishment for their violent crimes. 48 hours is simply not enough.

Thank you for the opportunity to address the committee. If you have any questions or concerns, feel free to contact me at 913-715-3072 or at [will.hurst@jocogov.org](mailto:will.hurst@jocogov.org).

Sincerely,



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William F. Hurst IV  
Assistant District Attorney  
Johnson County District Attorney's Office