



Kansas County & District Attorneys Association

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To: House Corrections and Juvenile Justice Committee
From: Melissa G. Johnson, Assistant Seward County Attorney
Date: March 5, 2012

Re: Testimony in opposition of HB 2498

Chairman Colloton and members of the Corrections and Juvenile Justice Committee

Thank you for this opportunity to present testimony in opposition of HB 2498. My name is Melissa Johnson. I am an Assistant Seward County Attorney and currently serve as President of the Kansas County and District Attorneys Association. I am submitting this written testimony in opposition of HB 2498 on behalf of the Kansas County and District Attorneys Association (KCDA).

While the KCDA certainly recognizes the need to provide mental health treatment to criminal defendants where appropriate, the current bill will not improve the ability of prosecutors to ensure that treatment is provided. HB 2498 will in effect only reiterate the authority that each individual County and District Attorney already possesses. From the perspective of KCDA, HB 2498 will not advance our ability to provide mental health services to criminal defendants. In many locations, the primary stumbling block to providing mental health treatment is the ability of the defendant to access appropriate services within a reasonable distance from their place of residence.

As with many government services, mental health has been forced to absorb many drastic budget cuts during the recent economic difficulties. This has affected the capacity of the mental health field to respond to the judicial system as well as the general public. Prosecutors are forced to choose between pursuing a prison sentence or a non-prison sentence with a hope that existing mental health services can be accessed or will continue to be available. If there is any question about public safety, prosecutors will assuredly opt to pursue a prison sentence rather than hope that treatment can be provided.

If this Committee wishes to pursue additional avenues for prosecutors to access in the area of mental health services, we would certainly welcome those options. We believe that goal could be best achieved through planning and discussion with stakeholders including mental health, law enforcement and prosecution.

Sincerely,

Melissa G. Johnson,
Assistant Seward County Attorney/KCDA President

House Corrections and Juvenile Justice
Committee
2012 Session
Date 3-5-12
Attachment # 1-1