



Kansas County & District Attorneys Association

1200 SW 10th Avenue  
Topeka, KS 66604  
(785) 232-5822 Fax: (785) 234-2433  
www.kcdaa.org

To: Hon. Fred Patton, Chair, House Judiciary  
From: Darrin Devinney, Butler County Attorney/KCDAA President  
Date: February 8, 2022

Re: Testimony in Opposition of HB 2536

Hon. Chairman Patton and members of the House Judiciary Committee:

Thank you for the opportunity to provide testimony in opposition of HB 2536. This testimony is presented on behalf of the Kansas County and District Attorneys Association (KCDAA).

Support for victims of sexual assault is one of the many concerns that prosecutors in Kansas address each day and in a number of ways. HB 2536 is a broad, sweeping alteration to how counselors, medical providers, law enforcement, prosecutors, and defense counsel will all interact with any victim.

The collective experience of prosecutors that have handled these cases, whether filed, prosecuted, resulted in convictions, or withstood appeals, would show that each case has a multitude of facets that do not fall conveniently in a simple categorization. In its present form, HB 2536 adds several requirements for a number of professionals that may have contact with a victim. However, many provisions could interfere with the investigation and prosecution of the criminal act, leaving an unworkable and ineffective result.

My request, on behalf of the KCDAA, is that this well-intentioned protective measure for victims of sexual assault be discussed in a more comprehensive manner to protect the integrity of our justice system for victims. Representatives from Victim's Rights organizations, medical providers, law enforcement, KCDAA, and defense counsel all should be included in the discussion of how we can better serve victims.

As a prosecutor of sexual assault cases for nearly 22 years, I am well aware of the many complex issues that arise for all parties. HB 2536 seems to narrowly focus on a single, narrow construct for addressing matters that are already protected. Yet, HB 2536 uses a broad swath of remedies that would result in fewer protections for victims in these complex, multilayered cases that have a lifelong effect on victims

Thank you for the opportunity to testify in opposition of HB 2536. We respectfully request that the committee report HB 2536 unfavorably for passage. I am available for questions at the appropriate time.