



29TH JUDICIAL DISTRICT OF KANSAS

January 27, 2023

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary

Hearing Date: January 31, 2023

**TESTIMONY OF WYANDOTTE COUNTY DISTRICT ATTORNEY MARK A.
DUPREE, SR. REGARDING SENATE BILL 72**

Chairman Kellie Warren, Vice-Chair Rick Wilborn, Ranking Member Representative Ethan Corson, Members of the Committee and staff:

I am the duly elected and serving Wyandotte County District Attorney and have been since 2017. Prior to this position, I worked in private practice in a firm with my wife, Shanelle Dupree. My primary practice area was criminal defense, so I have extensive criminal practice. Most of my work has been in the Kansas City Metropolitan area, and a significant portion has been on the Kansas side. Thank you for the opportunity to speak on Senate Bill 72.

Like most of Kansas, Wyandotte county is a community growing in diversity. With this increase of diversity comes the challenge of finding interpreters to provide services for a defendant, victim, or families in family court. Right now, it is difficult to find interpreters for our population of people who speak Chuukese, Karen, Swahli and other languages of Indo-Asia and Africa, including sub-dialects. According to our translations service provider the following languages are the most difficult to find translators for: Chuukese, Karen, Karenni, Kinyarwanda, Kurdish, Mixteco, Pashto, Oromo, Hmong, Dario, Farsi, Tagalog, K'iche', Thai, Kirundi

In April 2022, the Kansas Supreme Court in *State v. Gutierrez-Fuentes*, 315 Kan. 341, 350, 508 P.3d 378 (2022) ruled that statements made by victim, witness, or suspect to a police officer were hearsay if that statement was provided to the police via an interpreter. This comes into issue when there are so few interpreters for a particular language. For example, in Wyandotte county there was one Chuukese interpreter for the whole county. That interpreter then moved to California, their services were utilized through a telephoned language line. This rule now requires the State to pay for the travel expenses of the interpreter to come back for trial to testify that they translated the information correctly.

In conclusion, SB72 would help the citizens of Kansas receive justice in their particular case. Many times, victims and witnesses forget some of the details they tell officers. The officer then needs to testify, however, because of the Supreme Court's ruling, the interpreter would then

need to be brought to court as well. SB72 helps provide judicial economy in the handling of a variety of cases, criminal, civil, and family.

Sincerely submitted,

Mark A. Dupree, Sr.

Mark A. Dupree, Sr.