



OSAGE COUNTY ATTORNEY'S OFFICE

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To: Hon. Senator Greg Smith, Chair, Senate Committee on Corrections and Juvenile Justice
From: Brandon L. Jones, Anderson and Osage County Attorney and KCDAA Board Member
Date: February 1, 2016

Re: Opposition of SB 367

Hon. Chairman Smith and members of the Senate Committee on Corrections and Juvenile Justice:

Thank you for the opportunity to provide written testimony in opposition of SB 367. My name is Brandon L. Jones and I serve as both the elected Anderson and Osage County Attorney. I am also the newest member of the KCDAA Board of Directors. I am writing on behalf of the two counties I represent, and as a representative of the KCDAA Board, in opposition of SB 367.

While I feel that this bill is well intentioned, and has some good provisions, overall I feel that this bill would greatly restrict, if not completely remove, the decision making authority regarding the administration of juvenile justice in this state from those of us who are in the community and most accountable to the citizens of the community – the elected prosecutors and judges. I do not believe that is in the best interest of Kansas. This legislative body has been very concerned about federal overreach into state affairs and the limiting of “big government,” yet this bill appears to be state overreach into local decision making. I am greatly concerned that a few bad decisions in some parts of the state are being used to promote unneeded and unnecessary changes at a state wide level that will prevent myself, and my fellow prosecutors, from doing what is best for our communities and what is needed to keep our communities safe. I am especially concerned for those of us in rural communities that lack the resources to handle juvenile cases in the ways suggested in this bill.

Both of my counties are in the Fourth Judicial District, and our district is one of the seven judicial districts that has been chosen to pilot the program that will bring Family Functional Therapy (FFT) services to our district. I am very excited about this opportunity, and look forward to using these services as sentencing alternatives in juvenile offender cases. However, these services are new, have yet to be implemented, and their results are yet to be determined. I do not think we should completely overhaul the entire juvenile justice system until we can adequately put these programs in place and see how they work. Further, it is my understanding that these services are only being offered in seven out of the thirty-one districts in the state. What are the other twenty-four districts going to do in their cases if this bill is passed and the alternative sentencing services such as FFT are not in place? I am greatly concerned the many rural jurisdictions will not have the resources, or funds to provide these resources, and this bill result in an unfunded mandate on the already cash strapped local governments and service providers.

I think that FFT should be given a chance to be fully implemented and vetted before the juvenile justice system is completely overhauled. I hope you will consider not passing the bill as a whole, but rather give the pilot program a chance to be implemented and vetted, and then determine which parts of this bill are needed and which portions may be unnecessary or not in the best interest of Kansas's safety. Please do not take away the discretion and the resources from the local prosecutors and judges who are on the front lines and have a better idea of what works and what does not in our communities.

Thank you for the opportunity to provide written testimony in opposition of SB 367.

I am available for questions at the appropriate time.

Respectfully submitted,

Brandon L. Jones

Anderson and Osage County Attorney and KCDAA Board of Directors Member