



Monday, February 20, 2017

TO: House Committee on Corrections and Juvenile Justice
FROM: Ron Keefover, President, Kansas Sunshine Coalition for Open Government
RE: Opposition Testimony to HB 2338

I am Ron Keefover, President of the Kansas Sunshine Coalition for Open Government, a statewide organization of journalism and law professors, members of the news media and other private citizens committed to promoting open government in Kansas. Today, I appear in opposition to HB 2338, which for the first time closes historically open government proceedings that are integral to our criminal justice system.

Not only have parole hearings always been open, comments by the public indeed have been welcomed during the prisoner review hearings. As anyone familiar with our system of justice is aware, prosecutions are filed on behalf the state, not on behalf individual citizens. Thus, it is the citizens at large whose decisions—via the jury system or their elected prosecutors—that are integrally involved in the prosecution and ultimate disposition of the cases brought against those standing before our prisoner review boards. After all, the inmates' charges, court proceedings, and sentencing all are open to the public in our criminal justice system. So should their sentence reviews.

Public comment and review at public proceedings must be maintained. That is not only because of the state's fiducial relation to its citizens in the criminal justice system, but also to maintain public trust and confidence in that system. We cannot resort to secret tribunals and inquisitions in pursuit of some benefit so far unknown to this conferee. We thought such state secrecy in our penal system was long ago done away with, except perhaps in some third-world countries.

In the name of openness in government and our criminal justice system, we urge this bill be allowed to go no further.

Sincerely,
Ron Keefover, President
Kansas Sunshine Coalition for Open Government