



TESTIMONY OF MIKE FONKERT
JUST CAMPAIGN DIRECTOR
KANSAS APPLESEED CENTER FOR LAW AND JUSTICE

HOUSE COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE
IN SUPPORT OF HB 2686
FEBRUARY 19, 2020

Members of the House Committee on Corrections and Juvenile Justice:

My name is Mike Fonkert; I am the Just Campaign Director for the Kansas Appleseed Center for Law and Justice, a nonprofit, nonpartisan organization dedicated to the belief that Kansans, working together, can build a state full of thriving, inclusive, and just communities.

Kansas Appleseed supports HB 2686.

HB 2686 ends imprisonment and discharges people from probation for marijuana possession. It also ends the practice of charging someone with a felony for a third or subsequent marijuana possession charge.

Kansas faces a serious prison overcrowding problem. Prison overcrowding has led the state to declare an emergency¹ and to spend millions of dollars transferring inmates to a private prison in Arizona.² Overtime for corrections officers has risen to an estimated \$11.2 million, up 35% (\$2.9 million) in just five years.³

Drug charges are the most serious offenses for 23.4% of all Kansas prisoners.⁴ 44% of Kansas prison admissions in 2018 were for technical violations to probation.⁵ Drug offenses are far and away the biggest contributor to admissions in Kansas' prisons.⁶ Ending felony charges for marijuana possession will go a long way towards solving the crisis the Kansas prison system is facing.

For these reasons Kansas Appleseed urges the favorable passage of HB 2686.

¹ Hanna, J. "Kansas declares staffing emergency at most crowded prison." AP. 2019. <https://apnews.com/68d606d1cb584acfbca096368874a6e3>

² Anderson, P. & Smith, S. "Kansas spending millions to send 360 inmates to private Arizona prison." Topeka Capital-Journal. 2019. <https://www.cjonline.com/news/20190809/kansas-spending-millions-to-send-360-inmates-to-private-arizona-prison>

³ Shorman, J. "'An absolute mess': Kansas prison conditions will cost millions to fix." Tribune News Service. 2019. <https://www.governing.com/topics/public-justice-safety/tns-kansas-prisons-an-absolute-mess.html>

⁴ Kansas Department of Corrections. "Fiscal Year 2019 Annual Report." (1863 of 9123 male prisoners and 359 of 921 female prisoners). <https://www.doc.ks.gov/publications/Reports/fy-2019-kdoc-annual-report>

⁵ Smith, S. "ACLU pushes for probation reform with new report on technical violations." Topeka Capital-Journal. 2020. <https://www.hutchnews.com/news/20200107/aclu-pushes-for-probation-reform-with-new-report-on-technical-violations>

⁶ ACLU Kansas. "Kansans for smart Justice." <https://www.aclukansas.org/en/campaigns/kansans-smart-justice>