



Written Testimony on HB2030

Submitted To

The House Corrections and Juvenile Justice Committee

By

Randy Bowman, Executive Director of Public Affairs
Kansas Department of Corrections

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On behalf of Secretary Zmuda, I appreciate the opportunity to offer this written testimony from the Kansas Department of Corrections on the proposed changes in HB2030. We support the bill as proposed.

Current law, provides a process for application by the Secretary, and upon approval of the Prisoner Review Board (PRB), release of a person residing in a Kansas correctional facility if a doctor licensed to practice medicine and surgery in Kansas determines that the person has a medical condition that is likely to cause death within 30 days. This bill would extend the current 30-day release period to 120 days.

The bill as proposed would make the early release of these residents more realistic. Today 30 days is insufficient time to provide the required notice to the prosecuting attorney and the judge, and any victim who is known to KDOC, and then for the prisoner review board to thoroughly review the application and make an informed decision that is consistent with public safety goals. The proposed 120 days increases the potential that processes could be completed before a terminally ill person passes away in prison.

Based upon a review of medical cases of residents currently incarcerated in the KDOC, we estimate that 9-10 people per year would be eligible for consideration for terminal medical release if the period was extended to 120 days. Based upon the current 30-day period, in fiscal years 2016 through 2020, either 0 or 1 applications were submitted per year.

In closing. We appreciate that the Committee, and the Legislature as a whole, are discussing the public policies of Kansas as they relate to the criminal justice system. We will strive to be a resource to you as you continue your policy work.

Thank you