



DISTRICT COURT
23rd Judicial District of Kansas
(Ellis, Gove, Rooks & Trego Counties)



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Senate Judiciary Committee
Written Testimony in Support of [2021 HB 2361](#)

Hon. Glenn Braun
Chief Judge, 23rd Judicial District

Chairperson Jennings and members of the committee, thank you for the opportunity to provide testimony in support of House Bill 2361. I am Chief Judge Glenn Braun of the 23rd Judicial District, which covers Ellis, Grove, Rooks, and Trego counties. In 2019 I was appointed to serve on the Kansas Criminal Justice Reform Commission (CJRC) and chaired a subcommittee that made recommendations for the use of specialty courts in the state.

Chief Justice Luckert recently addressed the use of specialty courts in Kansas in her 2021 [State of the Judiciary report](#). She noted:

Many judicial districts in Kansas operate specialty courts that focus on addressing the reasons for criminogenic behavior while seeking to avoid incarceration. These specialized court dockets include adult and juvenile drug courts, behavioral and mental health courts, truancy courts, and veterans treatment courts. The success of these courts stems from judges and court employees who choose to work on these labor intensive problem solving court dockets, and from the efforts of social workers, mental health professionals, prosecutors, and defense attorneys who work as a team to oversee each defendant's case.

HB 2361 arose out of the CJRC's specialty courts subcommittee in late 2020. The state's specialty courts often rely on sporadic grant funding to meet the needs of those who participate in the programs. These needs may include transportation, substance abuse treatment, job training, access to technology, and various other supportive measure. Grant funding is also sometimes used to address the inevitable administrative costs that are incurred by addressing criminal justice issues in a specialty court environment. While specialty courts can save money by decreasing the need for incarceration, they carry costs at the outset that must be met for a program to be successful. HB 2361 seeks to establish an interbranch funding committee that will aid in the development of specialty courts throughout the state.

This bill also makes several important changes to laws governing expungement and sentencing. These changes would: (1) permit early expungement for those who graduate from a specialty court

program, (2) allow a judge to waive the expungement docket fee for a specialty court graduate, and (3) authorize a judge to modify the offender's sentence upon completion of the specialty court program – though a judge would not have the discretion to reduce the sentence below the minimum required by law. These changes will provide added incentive for offenders to participate in the rigorous specialty court environment. They will also help ensure that offenders have the greatest chance for success after graduating from the program, as some barriers to housing, employment, and stability may be reduced by expungement or a modified sentence.

Thank you for your consideration of HB 2361.