

IN THE SUPREME COURT OF THE STATE OF KANSAS

ORDER**FILED****NOV -7 2018****DOUGLAS T. SHIMA
CLERK OF APPELLATE COURTS**

Re: Ad Hoc Pretrial Justice Task Force

The Supreme Court recognizes the importance of the constitutional presumption of innocence as well as the impact of pretrial detention on both the accused and the community. We affirm that no person should be deprived of liberty unnecessarily or unconstitutionally. Consequently, the Court will examine -- as have other local, state and federal courts -- the emerging nationwide data about best practices for pretrial release decisions to identify if and where improvements can be made in the court process.

To begin this examination and under Article 3, Section 1 of the Kansas Constitution and the inherent power of the Court, we hereby create the Ad Hoc Pretrial Justice Task Force, effective the date of this order.

The duties of the Task Force are to:

1. Examine current pretrial detention practices for criminal defendants in the Kansas district courts.
2. Examine methods other than pretrial detention currently used in Kansas district courts to ensure public safety and encourage accused's appearances at court proceedings.
3. Compare effective pretrial detention practices and detention alternatives identified by other courts with those currently used in Kansas. This comparison will help develop a best practices model for Kansas district courts.
4. Identify any statutory impediments to implementation of any Task Force recommendation.
5. Identify any issues that may require further research, data compilation, or both, before a recommendation can be made to this Court.
6. Identify and prioritize topics that the Court's Office of Judicial Administration can include in training district court judges in Kansas on best practices for pretrial detention procedures, policies, and alternatives to pretrial detention.

7. Seek and consider input, as needed, from various stakeholders in Kansas. These include, but are not limited to, the Kansas Peace Officers Association, Kansas Sheriffs' Association, Kansas Association of Counties, Kansas County and District Attorneys Association, Kansas Association of Criminal Defense Lawyers, Kansas Association of Court Services Officers, Kansas Community Corrections Association, Kansas Correctional Association, and the Kansas Bail Agents Association.
8. Within 18 months of the effective date of this order, prepare a written report on the Task Force's findings and recommendations for this Court.

The individuals listed in the Appendix are appointed as members of the Task Force upon the effective date of this order.

The Office of Judicial Administration will staff and support the work of the Task Force.

BY ORDER OF THE COURT this 7 day of November 2018.



Lawton R. Nuss
Chief Justice

Appendix
PRETRIAL JUSTICE TASK FORCE

Chair

Karen Arnold-Burger
Chief Judge, Kansas Court of Appeals

OJA Staff

John T. Houston
Staff Attorney

Members

Nancy Dixon Judicial Administrator	Mary Mattivi District Court Judge, 3rd Judicial District
Lori Fleming District Court Judge, 11th Judicial District	Wendel Wurst District Court Judge, 25th Judicial District
Jared Johnson District Court Judge, 28th Judicial District	Keith Collett District Magistrate Judge, 8th Judicial District
Brenda Stoss Municipal Judge, Salina	Charles Branson District Attorney, Douglas County
Todd Thompson County Attorney, Leavenworth County	Tom Drees County Attorney, Ellis County
Sal Intagliata Criminal Defense Attorney, Monnat & Spurrier, Chtd. Wichita	Justin Barrett Criminal Defense Attorney, Barrett Law Firm, P.A. Colby
David Harger Criminal Defense Attorney, Rise & Weber, LLC McPherson	Robert Sullivan Corrections Director, Johnson County
Anita Cash Chief Court Services Officer, 29 th Judicial District	