

# Legislative Testimony

In **Opposition** to House Bill 2610  
Senate Committee on Judiciary  
March 3, 2026

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## *Written Only Testimony*

Chair Warren and Members of the Committee,

My name is Logan DeMond, and I am the Director of Policy and Research at the American Civil Liberties Union of Kansas. The ACLU of Kansas is a nonprofit, nonpartisan organization with more than 35,000 supporters statewide that works to protect and strengthen the civil rights and liberties of all Kansans. On behalf of the ACLU of Kansas, I write in opposition to House Bill 2610, which undermines judicial discretion and disproportionately harms low-income Kansans by mandating arrest and imposing stricter pretrial conditions based solely on charge level rather than individualized risk, increasing incarceration and deepening systemic inequities.

### **Limiting Judicial Discretion**

HB 2610 significantly limits judicial discretion by prohibiting courts from issuing summonses in felony cases, regardless of individual circumstances. This categorical approach replaces individualized judicial assessment with a blanket rule. Judges are currently empowered to evaluate factors such as community ties, prior record, and flight risk. Removing this discretion undermines a core principle of our justice system: decisions should be based on individuals, not just the charges against them.

### **Impacts on Low-Income Kansans**

The bill will disproportionately impact low-income Kansans. By requiring arrest warrants for all felony charges, the likelihood that individuals will be taken into custody at the outset of a case, even in nonviolent or low-level felony matters, is destined to increase. For individuals living paycheck to paycheck, even short periods of pretrial detention can result in job loss, eviction, disruptions to childcare, and financial instability. Wealthier defendants are better positioned to absorb these disruptions or post secured bond; poorer defendants are not.

Additionally, this bill mandates stricter bond conditions for individuals who miss a court appearance after receiving a summons, prohibiting release on their own recognizance. Failure to appear is often tied not to willful evasion, but to transportation barriers, inflexible work schedules, lack of childcare, or housing instability. Penalizing missed appearances with automatic restrictions on release will most heavily burden those already facing disadvantages.

### **Conclusion**

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HB 2610 shifts Kansas further toward a charge-based detention model rather than a risk-based one. Such a shift only serves to increase rates of incarceration and deepen inequities in our justice system without clear evidence of an improvement to public safety or court appearance rates. For these reasons, on behalf of the ACLU of Kansas, I respectfully urge this Committee to oppose HB 2610.

Logan DeMond  
Director of Policy and Research