

**TESTIMONY IN OPPOSITION OF HB 2678-AN ACT concerning the attorney general: relating to duties to investigate and prosecute; law enforcement officers.**

To: Honorable Chairman John Rubin  
Members of the Committee on Corrections and Juvenile Justice Oversight

From: Thomas Hongslo, Police Chief  
City of Lenexa

Michael Daniels, Police Chief  
City of Merriam

Simon Happer, Deputy Police Chief  
City of Overland Park (Officer Involved Shooting Investigation Team  
Commander)

Shawn Reynolds, Deputy Police Chief  
City of Olathe Park (Officer Involved Shooting Investigation Team Commander)

Karl Burris, Captain  
City of Lenexa Park (Officer Involved Shooting Investigation Team Commander)

Date: February 16, 2016

In 2004, the Johnson County Police Chiefs and Sheriff Association organized and implemented a county wide Johnson County Officer Involved Shooting Investigation Team. The Association has direct oversight of the team with Merriam Police Chief Michael Daniels and Lenexa Police Chief Thomas Hongslo being assigned as administrative support and liaisons to the Association. The remaining members of the team are as follows:

Team Commanders (3) – Have direct oversight of the investigations  
Team Lead Supervisors (4)  
Team Detectives (22)  
Evidence Technicians (5)  
Public Information Officers (3)  
Johnson County Crime Lab  
Johnson County District Attorney's Office

The members of the team are all experienced detectives who are nominated to serve on the team by their respective Police Chiefs. They receive specific training in officer involved shootings. No member of the team is assigned to an investigation that involves their own agency to maintain impartiality.

The officer involved shooting investigation team is directed to completely investigate officer involved shooting incidents along with other related involved crimes and present that investigation to the Johnson County District Attorney.

From this investigation, The Johnson County District Attorney will determine whether anyone, employee or civilian, committed a crime in the course of events which led up to and included the shooting incident.

The purpose of the team is to ensure that all officer involved shooting investigations are conducted in a transparent and impartial manner. When the Association organized this team in 2004, they were very forward thinking in ensuring that we gained and maintained the trust and legitimacy of the community. These investigations are very intensive, needing incredible amounts of manpower and resources directed to the investigation in a very short period of time, in order to provide the resolution and transparency deserved by the public.

Since 2004, the team has investigated twelve officer involved shootings in Johnson County. The team has been highly successful in completing a very thorough and impartial investigation that is presented to the Johnson County District Attorney for review.

The executive members of this team are opposed to HB 2678 which would mandate the Attorney General investigate and prosecute all officer involved shootings.

This bill in part states that the Attorney General would gather and analyze evidence, conduct witness interviews and review all investigative reports, scientific evidence and audio and video recordings. Our opinion is that the Attorney General does not have adequate numbers of or appropriately trained staff to properly investigate the complexities of an officer involved shooting. If the Attorney General gave this responsibility to the Kansas Bureau of Investigation (KBI), we are of the opinion that the KBI does not have the current staffing to conduct a proper, thorough and most importantly, a timely investigation. The KBI does not have enough staffing throughout the state to respond to a shooting in Johnson County in a timely manner.

As I mentioned prior, the law enforcement executives in Johnson County implemented a model that many have followed and we consider to be best practices in law enforcement. Our model has the trust of the community and the investigative authority remains within our community at the local level. We believe that giving the investigative authority to a foreign jurisdiction would lower the positive communication and trust that we have gained in Johnson County.

An officer involved shooting is never routine, however, this team has the experience, knowledge and proper protocols in place to investigate these shootings in a professional, timely and impartial manner.