

TESTIMONY IN SUPPORT OF THE ORIGINAL SB18

BY

**DR. WALT CHAPPELL, Vice-Chair
Racial Profiling Advisory Board of Wichita, KS**

Honorable Chair, Rep. John Rubin and Joint CJJO Cmte. Members,

November 3rd, 2015

Using millions of taxpayer dollars plus fines and asset forfeiture funds to purchase body worn cameras will NOT stop excessive use-of-force or rebuild trust, accountability and transparency, as long as the videos are only available to be viewed by LEOs. Please amend the KORA statutes to allow the person who is the subject of a law enforcement action plus their attorney and/or parents to view what took place.

These BWCs are not cheap. In Wichita alone, they will cost **\$2.2 million over the next 5 years.** **Seven new employees** are being hired plus expensive training is required. **\$612,000** will be taken from people who had their vehicles towed and the sale of their personal assets. **An additional \$360,000 annually** will be paid from narcotics seizure funds taken by LEOs who suspect illegal activity.

Equal justice guaranteed under the USA and Kansas constitutions is assumed to be granted to all people living in America. However, recent and past history has repeatedly shown that there are two different standards for how laws are enforced in our nation.

If a person living in Kansas commits an act which a law enforcement officer decides is a crime, they are immediately charged, given a citation to appear in court and/or arrested and may have their assets seized. A public record of each citation issued and/or arrest made is available for publication the next day.

Unfortunately, if that same officer uses excessive force to beat or shoot a person they have stopped, not only are they not charged with a crime, but the name of the officer plus the details about the incident are seldom released to the public. There is also no internal or public accounting of the assets seized. This lack of transparency and accountability must stop.

The minimal State wide policies for the use of body cameras in SB18 as originally introduced are a major step forward to rebuild trust in Kansas law enforcement agencies and the officers they employ. Seeing and hearing exactly what took place during and after a stop will eliminate the "he said-she said" debate based on unfounded allegations from either side.

As introduced, this bill made it clear that the video recording is to be available to the person stopped, their attorney and immediate family. So, rather than hide behind LEA policies which prohibit the release of the officers names or details of a questionable stop, beating or shooting, passing this bill will provide the transparency and accountability necessary to uphold each person's Constitutional rights.

If body worn cameras are purchased by any Kansas LEA, then the minimum policies in SB18 will apply throughout the state. However, given the budget constraints of most LEAs in Kansas, I recommend that the first sentence in Sec. 2, lines 16-18, subsection (a) be removed. It is not realistic to mandate millions of dollars of expense.

Other than this one change, I ask that you support the transparency, accountability, privacy and release of factual information which the original SB18 will provide for both the people stopped by LEA officers and the officers themselves.

Protecting the good name and earned trust of the vast majority of Kansas law enforcement officers is very important. Having video footage to show that they did their job professionally, without bias or prejudice and with an appropriate use-of-force will dispel rumors and unfounded accusations. And, these same videos will help provide equal justice plus protect the personal assets of the people who were the victims of criminal behavior by the few officers who hide behind their LEA's secrecy policies.

I urge you to pass SB18 as introduced. Do not make BWC purchases mandatory but allow the subjects of the recordings to view the videos without having to hire an attorney to get a Court Order.

**For more information, please contact Dr. Walt Chappell, (316)838-7900 or visit the RPAB website at:
<http://www.racialprofilingwichitaks.com>**

Wichita Police Department's June 9th, 2015 Body Camera Presentation to the City Council (pg.9-10)

Total cost for 5 years is approximately

Year one: Purchase of hardware, licensing fees, and data storage - **\$712,000**

Subsequent years: Licensing and data storage fees of approximately **\$360,000 annually**

Staff Recommendation for funding:

Year 1 \$712,000:

\$100,000 JAG grant;

\$612,000 from one - time sources (Police Wrecker Fund, funds from sale of assets)

Year 2 – 5: **\$360,000 annually:**

Narcotics Seizure Funds or other Police resources