



March 3, 2016
Testimony as an Opponent of sub for HB2289
Submitted by Christopher Mann
MADD National Board of Directors / Kansas Advisory Board

Honorable Chairman King and Members of the Senate Committee on Judiciary:

Thank you for the opportunity to address you in opposition of the sub for House Bill 2289. I am a volunteer and advocate for Mothers Against Drunk Driving (MADD) as well as the victim of a drunk driver. Prior to the crash that ended my career, I was a police officer in Lawrence Kansas and after was a prosecutor in Wyandotte County Kansas. MADD is opposed to HB2289.

At the current time law enforcement officers do not have to certify the reason for any encounter with the driver as long as the officer when requesting the test has 'reasonable grounds to believe they are under the influence' and the officer has reasonable belief the person was operating a vehicle.

The original bill was a dangerous piece of legislation that would have wreaked havoc across the law enforcement community and placed our citizens in certain danger on our roadways. While the current iteration of the bill as a compromise is far better than the original, it still is an unnecessary change in the law that will only serve as a "gotcha" fill in the blank for defense attorneys. The point of the administrative penalties is to take immediate action to keep our roads safe from the dangers of drunk drivers.

There is already a location on the DC-70 for the officer to indicate the reason for the contact. There is no reason to change its location or require it to be certified, especially when it is not considered in the administrative hearing.

While MADD does not believe this bill is necessary and it does nothing to help protect the citizens of Kansas, we can support the current compromise version of the bill if the certification is removed. MADD would strongly oppose any attempt to return any of the misguided language from the original bill.

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