

STATE AFFAIRS COMMITTEE
April Fool's Day

The meeting was called to order and the Chairman asked Rep. Woodworth to give a few comments concerning the Senate Bill 218. Mr. Woodworth stated that it is a local bill, affecting only the Sheriff's Department in Johnson County; that it would permit the County Commissioners to appoint a 5-member commission to serve as a Civil Service Board, with certain requirements to serve; that the Board would set up regulations relating to records to be kept, professional policies, etc.; *

Rep. Winters appeared in opposition to the bill, and introduced Mr. Zimmerman, who also opposes the proposal; and then introduced the Johnson County Sheriff, Mr. Thomas who addressed the committee. See attached. Mr. Rogers inquired if there were any other counties under civil service and Mr. Thomas replied that there were not. Mr. Hoskins, Captain of the Sheriff's Reserve Unit, spoke in opposition to the bill, stating that he knew of no reason why this request should be made; that the department is being properly run and no complaints had been received. Mr. Ford inquired about the turnover upon change in administration and Mr. Thomas read his payroll indicating that most of the staff had several or many years of service. It was established that there had been virtually no turnover in either this administration or previous administrations.

Mrs. Williams, wife of the former sheriff of Johnson County, spoke in opposition to the bill, stating that it was the feeling of a majority of the people that the bill had no merit, and handed the Chairman a petition and a survey in support of their feeling. (see attached) Mrs. Bertha Hall, also of Johnson County, and long an active member of the community, including political activities, stated that she hoped the Committee would kill the bill. Mr. Winters, the only democratic member on the County Commission, stated that so far as he knows there is no complaint with the Sheriff's department, and urged a study rather than the passing of this bill.

The Chairman stated that he had the proposed resolution previously discussed by the Committee regarding the study about preferential consideration being given to in-state bidders and also about the use of local labor on state jobs. Miss Jacquart moved that the resolution be introduced to the Committee of the Whole. Motion was seconded by Mr. Griffith and carried unanimously.

* see exhibits separate folder

Mr. Woodworth asked the committee to reconsider its action on S.B. 237, regarding juvenile homes; that he had an amendment. He moved reconsideration which motion was seconded by Mr. Doyen and carried unanimously.

The Chairman stated that there was still some question about SB 28 which had previously been passed out; that Mr. Rogers had asked reconsideration to discuss the amendments again. Mr. Ford moved that the action be reconsidered and the motion was seconded by Mr. Buntten. Motion carried unanimously.

The Chairman stated that if the House adjourned in a reasonable time, the Committee would meet upon adjournment to consider the amendments on H.B. 720

Meeting was adjourned.

JOHNSON COUNTY SHERIFF'S OFFICE



LYNN THOMAS
SHERIFF
WILLIAM A. DAY
UNDER SHERIFF
UNIFORM DIVISION

COURT HOUSE

OLATHE, KANSAS

MAJOR WILLIAM A. WEINBERG
CHIEF DEPUTY
DETECTIVE DIVISION
LIEUTENANT MERRITT GODDARD
CIVIL DIVISION

State 2-0720

March 23, 1965

Honorable Representative
Mr. Jess Taylor, Chairman
State Affairs Committee
State House
Topeka, Kansas

Dear Representative Taylor:

You are possibly aware that I have strong objections to Senate Bill No. 218, in that I feel that, if passed, it would be a hinderance and handicap in the efficient operations of the Johnson County Sheriff's Office due to the following reasons.

Re: Senate Bill No. 218

Section 2 and 3 gives the sole power of appointing the Civil Service Board to the County Commissioners. I feel that the appointment of any such board should come from a source entirely free of the political structure of the Court House, if the object of this bill is to remove offices from political influence.

Reference to Section 9. Lines 14 to 20. This is a procedure that has been followed for many years by this office and is adequately administrated. Certainly the Sheriff should and would know the qualities necessary for an employee to perform specific duties and to work as his deputy. Education, attitude, appearance, temperament, stability and many other factors are of prime importance to a Sheriff when selecting a person to represent him as a deputy. In this respect I feel that a Sheriff should be allowed choice in that under our statutes the Sheriff is responsible for the

official acts of his deputies. I fail to see how this responsibility could be assumed by the Sheriff under the provisions of Senate Bill No. 218.

Paragraph C, Section 9. I fail to see where the appointed Civil Service Board would be competent to pass on the relative merits of the personnel in relation to the needs of the Sheriff's Office with the limited contact and knowledge the Board would have of the every day problems and task of the Sheriff's Office.

Section 12, Line 11. This would require that every person deputized for cause or special reason be passed upon by the Civil Service Board. Often such appointments are made in emergencies and for special reasons as provided by statutes. It would in effect, create a block in law enforcement. As an example, I have found it necessary to deputize certain park police in Johnson County to give them proper authority to enforce the laws in our County Park System. The Railroad Police and other special officers depend upon such authority as the Sheriff is now authorized to issue by commission to properly perform certain duties. To attempt to bring all of these persons under authority of the Civil Service Board would, in my thinking, be impossible.

Section 13 appears to contradict Section 12.

Section 15, Line 4 to 14 is very restrictive and I believe would prevent the Sheriff from shifting personnel in his office to different assignments which is often necessary due to seasonal requirements, emergency conditions that may exist to criminal activities and heavy work loads that occur within the Civil and Tax Divisions of my office. The ability to utilize and shift personnel into different capacities is an absolute requirement in an office of this type.

Section 16. Due to the very nature of the work in this office, the requirements for employment must be of one standard. That being the very best obtainable, both mentally and physically as a representative of this office.

I have no objections to any law that prohibits employees of the Sheriff's Office to engage in political activities. I have always followed this procedure during my previous

terms as Sheriff. It is my opinion that this can be accomplished by a single act of the Legislature without the restrictive provisions of Civil Service.

From a very careful study of the General Statutes of Kansas relative to the duties of the Sheriff in regards to preserving the peace, enforcing the laws of the State, keeping and being responsible for prisoners confined in the jail, the apprehension of felons, the necessary procedures relative to commitments, the execution of civil process, and the collection of delinquent tax and other specific duties as designed by Statue. It is my belief that this act would work against the best interest of the public that we are trying to serve, and I believe that it transgresses the authority of the Sheriff as provided for in the Constitution and the General Statutes of Kansas.

I call your attention to the fact that the administration of the Sheriff's Office is vastly different than the administration of the police departments, that the multiple duties required of a Sheriff and his office require more flexibility and freedom of operation to accomplish that which is demanded of him by Statutes and other specific demands of the various courts of jurisdiction.

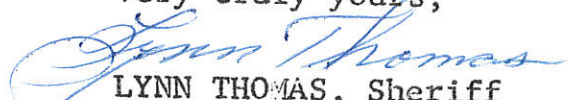
Civil Service has never been found to be an advantage in the operation of A Sheriff's Office. It having been tried and discarded in several states. In discussing this bill with other Sheriff's in the State of Kansas I find no support for it from any source.

I have outlined my objections to this Bill in a brief way through this letter. I have talked to many people in Johnson County and have found no popular support for this Bill.

In the interest of the Sheriff's Office, the people of Johnson County, and in the interest of law enforcement I would respectfully request permission to appear before any committee considering this Bill to answer any questions relative to this proposed Bill and to voice my objections. This I would be prepared to do at any time the committee may suggest.

Thanking you for your interest and consideration and assuring you of my cooperation at all times, I remain

Very truly yours,


LYNN THOMAS, Sheriff
Johnson County, Kansas

March 31, 1965

HONORABLE CHAIRMAN AND REPRESENTATIVES
OF THE STATE AFFAIRS COMMITTEE:

May I thank you for the opportunity to appear before the Committee and express my views in regards to Senate Bill No. 218.

As present Sheriff of Johnson County, Kansas and having served two previous terms as Sheriff from 1957 to 1960 and in various capacities as patrolman, Detective, Captain of the Civil Division and Undersheriff for a total of twenty years in the Department, I believe that my experience may be of some value in evaluating this bill.

A Sheriff's Office is not a police department, in that the methods of administration must necessarily be different due to the many specific and general statutes that direct the Sheriff to perform and be personally responsible for the execution of certain duties either by self or by deputy.

A Sheriff is subject to the many and varied orders of the courts relative to the execution of the criminal and civil code and is required to execute these orders in person or by deputy and is answerable to the courts for failure to perform or execute as directed.

Under the General Statutes of Kansas the Sheriff is responsible for the official acts of his deputies.

Due to the large number of female prisoners committed to my custody for confinement and transportation to the various state institutions I have found it absolutely necessary to deputize my secretarial and clerical employees to perform the duty of matron in such case, in that I have no quarters to provide for matrons at the jail, Re: Section 12. I call your attention to paragraph 3, page 2 of my letter, regarding persons deputized for special cause or reason and receiving compensation or salary for such services. This I feel to be very restrictive.

The duties of a Sheriff are such that classification of personnel must be very flexible to allow the Sheriff authority to direct and distribute his deputies to the duties, task, and

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HONORABLE CHAIRMAN AND REPRESENTATIVES
OF THE STATE AFFAIRS COMMITTEE:

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requirements that change from day to day and to meet the requirements of the courts and other duties that are seasonal.

Having been employed in law enforcement for over 20 years in different capacities, as a former president of the Kansas Peace Officers Association, a member of the National Sheriff's Association, and other law enforcement organizations, I recognize the value of stability and continuity in any law enforcement office, however, this I believe can be accomplished by selective employment, adequate compensation, and by building pride and efficiency in the organization.

Very truly yours,


LYNN THOMAS, Sheriff
Johnson County, Kansas

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Members of the House State Affairs Committee:

As a group of Johnson County Republican Women interested in good government we wish to thank you for giving us the opportunity to appear before you today. We especially appreciate having been notified, even if it was on short notice. We are here to protest Senate Bill No. 218, which we feel is an ill-advised bill. This bill, as written, has no merit, as it takes the duties and responsibilities of a duly elected official away from him and puts them in the hands of an appointed board which is untrained in law enforcement. We feel our county is being singled out for an unprincipled and unprecedented bill which has not been used in any other county in Kansas, and in but one county in the country and later repealed because it was unworkable.

Civil Service might have its merit if used under certain proper conditions but, as written in Bill 218, we find it would limit the powers of the sheriff's office, would freeze and immobilize the efficiency of his office. This bill would give the complete power of this department to a small appointive committee which could be used to build a political machine.

We strongly protest that this bill was presented without the knowledge and study and recommendation of the sheriff. Our sheriff, Mr. Lynn Thomas, led the Republican ticket in the November election, thus reflecting the confidence, trust, and integrity the people have placed in him.

If politics has been used in this office it is not the fault of our present sheriff. He has only been in office two and one-half months. Mr. Thomas, if given the opportunity, will run the office in an efficient and impartial manner.

The County Commissioners six years ago honored Mr. Thomas with a plaque for his efficient record. His previous tenure of office was marked with high excellence and superior standing and not a taint of politics. He is making every effort to reorganize and restrengthen his department since he has been elected.

We find in the last 12 years that many K.B.I. members, Highway Patrolmen and peace officers have come from our sheriff's office in Johnson County. There is a vast difference between the responsibility of an appointive police board official and an elected official running a county sheriff's department. The elected official is directly responsible to the people. A civil Service board as outlined in Senate Bill 218 is appointed by the county Commissioners and could be men who have had no training or background in peace patrol work. To whom are the decisions and actions of this Civil Service Board responsible?

We understand that the Kansas Legislature has asked the Legislative Council to make a comprehensive study of Civil Service as it pertains to the sheriff's office in the 105 counties of Kansas. Since this is true then why are we being faced with a bill to put our county under Civil Service immediately?

Why has this bill been thrust prematurely upon us?

Why not kill this bill in committee?

Why not await a feasibility report as to its merit or lack of merit?

We find our county residents are in a furor over this bill. It is unwise at this time to divide the strength of our people by attempting to legislate the affairs of the county with an experimental bill to take away the voting rights of the people.

This board before which we appear today and the Kansas Senate, where we were not privileged to appear, have been placed in an untenable position as mediators in a county problem, which could have been avoided by a feasible study and proper procedure.

WE URGE TO KILL THIS BILL. LET IT DIE IN COMMITTEE AND GIVE OUR JOHNSON COUNTY RESIDENTS TIME TO STUDY IT FURTHER. LET THE LEGISLATIVE COUNCIL CONCLUDE ITS WORK. LET US STUDY THEIR REPORT AND THEN ACT ACCORDINGLY. WHAT IS GOOD FOR ONE COUNTY IS GOOD FOR ALL COUNTIES. WE DO NOT BELIEVE OTHER KANSAS COUNTIES WANT THEIR SHERIFF'S OFFICE UNDER CIVIL SERVICE. NEITHER DO WE!

We thank you again for your courtesy of hearing us.

Note: Presented to the State Affairs Committee of the Kansas Legislature, Thursday, April 1st, 1965.