

Approved April 1, 1986

Date

MINUTES OF THE House COMMITTEE ON Judiciary

The meeting was called to order by Chairman Joe Knopp at
Chairperson

3:30 ~~xx~~ a.m./p.m. on March 27, 1986 in room 313-S of the Capitol.

All members were present except:

Representatives Adam, Cloud, Harper, Luzzati, O'Neal, Snowbarger, Teagarden and Whiteman were excused

Committee staff present:

Mike Heim, Legislative Research Department
Jerry Donaldson, Legislative Research Department
Mary Torrence, Revisor of Statutes' Office
Jan Sims, Committee Secretary

Conferees appearing before the committee:

Jim Turner, Kansas League of Savings Institutions
Rep. David Heinemann
John Wolf, Assistant Dean, Department of Continuing Education, University of Kansas

SB 556 - An act concerning civil procedure; relating to orders of garnishment.

Jim Turner of the Kansas League of Savings Institutions appeared before the committee in support of SB 556. He stated that the Kansas Bankers Association and the Kansas Credit Union League also support the bill. He stated that the original request for a fee for garnishment orders contained in the bill had been removed as a compromise and that the language currently being used successfully in Shawnee County will be used in the orders. That language would indicated that there was a good faith belief on the part of the party seeking the garnishment that there was an account at the financial institution being served (Attachments 1, 2 and 3).

Rep. Shriver moved to report SB 556 favorably. Seconded by Rep. Solbach. Motion carried on a voice vote.

HB 2944 - An act concerning criminal procedure; relating to preliminary examinations.

Rep. David Heinemann appeared in support of HB 2944. He said it was felt that this subject matter had been addressed in last year's session but it has since been discovered that a statute is necessary allowing for the presentation of a videotaped statement or testimony of a child at a preliminary hearing in cases of sexual abuse and that the child shall not be required to be cross examined at the examination except by order of the judge for good cause shown.

Rep. Solbach moved to report HB 2944 favorably. Seconded by Rep. Wunsch. Motion carried on a voice vote.

HB 2945 - An act concerning the crime of eavesdropping.

Rep. David Heinemann appeared in support of HB 2944. He stated that current law concerning wiretapping allows a person having control of a telephone to consent to the wiretap and does not require that either party to a conversation give their consent. This bill would make state law and federal law the same in that one of the parties to the conversation must consent before a wiretap is allowed without a court order. Rep. Buehler moved to report HB 2945 favorably. Seconded by Rep. Walker. Motion carried on a voice vote.

SB 595 - An act concerning docket fees; relating to the amount and distribution thereof.

John Wolf, Assistant Dean of the Department of Continuing Education at the University of Kansas appeared before the committee in support of SB 595. He stated that the fiscal shortfall at the Kansas Law Enforcement Training Center has continued to increase to the point where by the end of this year it will have had a shortfall of over \$450,000 for the last four years. He stated that funding from an increase in docket fees will alleviate their fiscal shortfall problem. He was questioned about why no tuition fees were charged to the agencies utilizing the facility.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Judiciary,
room 313-S, Statehouse, at 3:30 ~~xxx~~ a.m./p.m. on March 27, 1986

He responded that it was felt that the defendants in court actions were the ones requiring communities to have good, trained law enforcement officers and therefore were more logical for paying this funding. He also stated that at the present the Center has no authority by statute to charge tuition. They are willing to raise the funds through either means but need the authority to do so. (Attachment 4).

Rep. Solbach moved to report SB 595 favorable for passage. Seconded by Rep. O'Neal. Motion carried on a voice vote.

Rep. Duncan moved that Ways & Means be requested to introduce a bill authorizing the Center to charge tuition to agencies using the Center. Seconded by Rep. Fuller. Motion carried on a voice vote.

The Chairman adjourned the meeting at 4:00 P.M.

KLSI Kansas League of Savings Institutions

JAMES R. TURNER, President • Suite 612 • 700 Kansas Ave. • Topeka, KS 66603 • 913/232-8215

March 27, 1986

TO: HOUSE COMMITTEE ON JUDICIARY
FROM: JIM TURNER, KANSAS LEAGUE OF SAVINGS INSTITUTIONS
RE: S.B. 556 (GARNISHMENT ORDERS)

The Kansas League of Savings Institutions appreciates the opportunity to appear before the House Judiciary Committee on H.B. 556 which addresses the problem of blanket or "shotgun" garnishment. This bill was introduced in the Senate at the request of KLSI, the Kansas Bankers Association, and the Kansas Credit Union League.

This bill represents an attempt to remedy "shotgun" garnishments.....the practice of collection agencies or individuals in which little, if any, effort is made to determine whether an account exists prior to serving such an order on financial institutions. This type of garnishment procedure creates operational problems and expense for financial institutions. We have enclosed an example of the 1985 experience of one of our members in this regard.

The original bill requested a fee for such orders. A compromise was reached between those groups requesting the bill and the collection attorneys to incorporate language that has been successfully used by the Shawnee County courts in reducing this problem.

We feel that S.B. 556 represents a reasonable approach to reducing the blanket garnishment and would appreciate the committee's earliest attention to reporting S.B. 556 favorably for passage.

James R. Turner
President

JRT:bw

Encl.

*attachment!
House Judiciary
March 27/1986*

MID KANSAS FEDERAL

1985 GARNISHMENT REQUESTS (For Funds On Deposit)

TOTAL RECEIVED	205	-	100%	
NUMBER WITH FUNDS	<u>43</u>	-	21%	
NUMBER WITHOUT FUNDS	162	-	79%	
TOTAL AMOUNT OF FUNDS REQUESTED				\$474,188.55 - 100%
TOTAL AMOUNT OF FUNDS AVAILABLE				13,433.04 - 2.8%

*Reasonable time - 2 to 3 day unreasonable
Same day
After 10 day - liable for garnishment*



The KANSAS BANKERS ASSOCIATION
A Full Service Banking Association

March 27, 1986

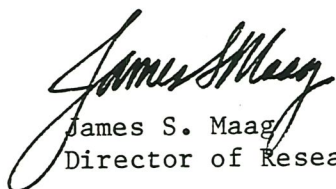
TO: House Committee on Judiciary

RE: SB 556 - Establishment of a garnishment order fee

Mr. Chairman and members of the Committee:

Thank you for the opportunity to appear before the committee in support of SB 556. Many Kansas banks have expressed their concern to us about this inordinate amount of time their personnel must spend processing garnishment orders. One bank has done an in-house analysis showing that each order requires a full hour of staff work. In many of the urban banks where large numbers of garnishment orders are received, this adds up to a significant personnel expense for the bank. Thus, the bank is presently performing a service of which the cost--in terms of personnel time--must be absorbed in other service fees charged by the bank since it is currently not possible to charge a fee for preparing an answer to a garnishment order. This obviously creates an inequity for other customers of the bank. We believe SB 556 will discourage the filing of unnecessary or "blanket" orders and should be added to our existing garnishment statutes.

We appreciate the committee's consideration for this important matter. We respectfully request that the committee recommend SB 556 favorably for passage.


James S. Maag
Director of Research

JSM/ljs

*Attachment 2
House Judiciary
March 27 1986*



**Kansas
Credit
Union
League**

5942 S.W. 29th Street, Suite C
Topeka, Kansas 66614
(913) 273-4343

DATE: March 27, 1986

TO: House Committee on Judiciary

FROM: Marvin C. Umholtz, Vice President
Kansas Credit Union League

SUBJECT: Testimony in Support of SB 556, As Amended.
An act concerning civil procedure; relating to
orders of garnishment.

Thank you for this opportunity to appear in support of SB 556, as amended, a bill designed to discourage a common practice often referred to as "shotgunning" of orders of garnishment. All too frequently, parties seeking orders of garnishment simply send out an order to all financial institutions in a multi-county area, regardless of whether they have reason to believe that the defendant has funds in the financial institution. It is our sincere hope that the new language in this bill will halt this practice.

Credit unions and other financial institutions must take the staff time and expense to respond to each order of garnishment received. This time and money could be better used by the credit union to provide personal financial services to its members.

The Kansas Credit Union League is a statewide association representing over 97% of the 163 state-chartered and 46 federally-chartered credit unions located in Kansas. Credit unions are non-profit financial cooperatives chartered under State or federal law which are owned by the people who save and borrow there. Kansas credit unions serve the personal financial needs of over 490,000 individual credit union members and have almost \$1.2 billion in combined assets.

I appreciate having this opportunity to present our position in support of SB 556, as amended, to the Committee. I welcome any questions Committee members may have on this issue.

Marvin C. Umholtz
Vice President
Credit Union Development

MCU:a1

*Attachment 3
House Judiciary
March 27 1983*

THE UNIVERSITY OF KANSAS
Division of Continuing Education
Kansas Law Enforcement Training Center

TESTIMONY

re

Senate Bill 595
before
House of Representatives
Committee on Judiciary

by

John P. Wolf
Assistant Dean
27 March 1986

Mr. Chairman, Representatives, I want to thank you for allowing me to appear before you today in support of Senate Bill 595, the purpose of which is to provide an adequate funding mechanism for the Kansas Law Enforcement Training Center. This would permit the KLETC to maintain its facilities and equipment and to offer the types and varieties of training which it is mandated to do and which are essential to having competent and effective law enforcement officers in our State. I know that your time is short and I will be as brief as possible in my remarks.

The Division of Legislative Post Audit has recently completed a Performance Audit Report of the Kansas Law Enforcement Training Center. In my opinion, the report was a good one; it was generally supportive of the need to have well-trained law enforcement officers and sympathetic to and understanding of what is required to achieve this goal.

Even though you have all read this performance audit report, let me comment on a few of their findings. As a part of the audit process, a survey was conducted of the heads of all law enforcement agencies in Kansas in an attempt to discover the feelings of those in the profession regarding the performance of the Training Center. Some of the results of that survey are worthy of comment.

More than 80% of the agency administrators responding thought that:

- The courses taught at the Training Center are adequate to prepare an officer to work in their departments.
- The curriculum taught at the Training Center is up to date and stresses the topics that are most important to a beginning officer.

*attachment 4
House Judiciary
March 27 1986*

--- Officers successfully completing the required basic course of training at the Training Center are able to apply what they learned.

--- The overall quality of instruction at the Training Center is good.

As we already knew, almost 40% of the agency administrators are having difficulty getting officers into the basic training classes at the Training Center at the times which would be best for them and almost 25% (a full quarter) are having difficulty getting their officers into the Training Center within the first year of service as required by statute because the classes are full.

40% said that they needed more help from the Training Center to meet the 40-hour annual requirement.

50% would like to see more training equipment and facilities at the Training Center.

57% would like to see the dormitory facilities improved.

Perhaps the most significant result of this survey is that only 3.3% of the law enforcement administrators expect their basic training needs to decline in the next three years. 4.6% did not respond to this question. The remaining 92% expect their needs for basic training to remain constant (68.8%) or increase (23.2%) during the next three year period. This makes the issue of adequate funding for the Law Enforcement Training Center even more important.

The Kansas Law Enforcement Training Center has been funded since the beginning of Fiscal Year 1983 by a \$3 earmarked portion of the docket fee collected in district courts of this State which is remitted to the State Treasurer for deposit in the law enforcement training center fund. These fees are paid basically by defendants, as directed by statute and the courts. It is important to keep in mind that funding law enforcement training is not a burden for the general populace. It may, in fact, be regarded as a "user tax" in the sense that those individuals who require law enforcement officers to cause them to appear before the courts are the ones who pay for the training of those officers. In this sense, the funding is appropriate.

However, the level of the funding for law enforcement training is not appropriate; it never has been. During the first three years of its use, i.e., from July, 1982 through June, 1985, this funding mechanism has produced \$402,566.89 less than it was projected to do.

Again let me remind you of some of the conclusions reached by the auditors in their report to the Legislative Post Audit Committee.

--- "The Training Center has not had sufficient funds to maintain its level of operations since its funding was changed to the current docket fee mechanism in fiscal year 1983. If its level of funding is not increased, the Training Center will not be able to meet its statutory obligations, and its physical facilities will continue to deteriorate." (from Summary of Audit Findings.)

--- "Covering the difference [using general revenue funds] between the Training Center's budgeted expenditures and docket fee receipts would have cost the State just over \$400,000 between fiscal year 1983 and 1985 and potentially \$95,500 for fiscal year 1986." (p. 16)

Let me talk about that \$95,500 figure for a moment. When the performance audit report was prepared, the auditors only had the income figures through October of 1985 and the \$95,500 figure was correct. When I appeared before the Legislative Post Audit Committee on 18 December 1985, I told them, on the basis of more complete data, that the projected deficit shortfall in revenues for the current fiscal year would be in the neighborhood of \$110,000. On 3 February 1986, I reported to the Kansas Law Enforcement Training Commission, on the basis of data through 30 January 1986, that I was projecting the deficit shortfall to be \$138,000. On 25 February 1986, when I testified before the Senate Judiciary Committee regarding this bill, on the basis of data through 24 February 1986, I was projecting the deficit shortfall to be \$145,000. Today, on the basis of data through 25 March 1986 I can tell you that I am still projecting a shortfall in this fund of \$145,000 for the current fiscal year unless something unforeseen occurs. Thus the funding picture today is even worse than the one painted by the auditors last fall and that one, especially in light of the performance during the last three years, was bleak enough.

I computed this figure in two different manners to minimize methodological error and I am reasonably confident that my projections are correct unless something changes drastically and assuming that the revenue collections for the remainder of this fiscal year resemble closely those for the previous three.

Keeping in mind the requirement that State agencies may not operate in a deficit position, the shortfall in revenues has had a serious impact on the Training Center's ability to provide the mandated training. Services to local departments have been eliminated or severely curtailed; acquisition of needed training equipment has been postponed; staff positions have gone unfilled; maintaining our facilities continues to be a burden; etc.

Ladies and Gentlemen, this bill has been endorsed by all major organizations of law enforcement officers in the State. These include the Kansas Sheriffs' Association, the Kansas Association of Chiefs of Police, the Kansas Peace Officers' Association, and

the Fraternal Order of Police. In addition, the Kansas Law Enforcement Training Commission is on record as being in support of it as well. Representatives of some of these groups are here today to attest to their support.

Mr. Chairman, Representatives, thank you again for allowing me to appear before you today to support this proposed legislation. I urge the Committee to act favorably on it and to support it before the full House. You and the rest of the Legislature have acted wisely in the past by deciding that the citizens of Kansas would be better off with adequately trained law enforcement officers. The University of Kansas through the Kansas Law Enforcement Training Center is ready to provide this training as you have seen fit to require. Do not make this task impossible for us by allowing this inadequate funding mechanism to continue. Thank you for your attention. I would welcome the opportunity to respond to any questions which you might have.

SUMMARY OF TESTIMONY

Before the House Judiciary Committee

SENATE BILL 595

Presented by the Kansas Highway Patrol

(Lieutenant William A. Jacobs)

March 27, 1986

Appeared in Support

The Patrol supports Senate Bill 595 for the following reasons:

The Superintendent of the Kansas Highway Patrol is a member of the Law Enforcement Training Commission, therefore the Patrol is very cognizant of the academy's problems.

Current law designates three dollars from each docket fee to support the operation of the Kansas Law Enforcement Training Center (KLETC) located in Hutchinson.

The amount of revenue generated has fallen substantially short of funding the KLETC. Senate Bill 595 increases the docket fees by an additional two dollars and designates that five dollars of each docket fee be used to support operation of KLETC.

The Highway Patrol Academy in Salina is now used approximately 50 weeks each year for training purposes, therefore, we feel that it is very important that KLETC remains adequately funded for use by city and county officer training. It is the only source of training available to many law enforcement agencies at this time.

We respectfully ask your favorable consideration of this bill.

House Judiciary
March 27 1986

HOUSE JUDICIARY COMMITTEE

Testimony from Captain R. L. Easter
Commander Training Section
Wichita Police Department

REFERENCE: Senate Bill 595
Increase in Court Docket Fees to
generate revenue for the
Kansas Law Enforcement Training Center

I want to thank each of the Committee Members for allowing me the opportunity to testify in reference to Senate Bill 595.

The State of Kansas should be very proud of the fact that we are a leader, in the Mid-West, when it comes to providing basic training for our Law Enforcement Officers. We are also in the forefront in reference to our 40 hours of mandated continuing education training. These two steps towards professionalism, in the ranks of law enforcement, may have been brought about by some or all of you on this committee. For this, I, as a law enforcement officer and a citizen of this state, wish to thank you. But, at the same time I also want to ask your assistance in generating more revenue for the Kansas Law Enforcement Training Center.

As I mentioned, we have taken giant steps forward in the area of law enforcement training and like anything else, this requires funding. In order for the Kansas Law Enforcement Training Center to comply with our state laws they must have this funding, not only to maintain a level of service, but to also expand this level of service. Originally, a bill was passed in the hopes that the collection of a portion of the court docket fees would enable expansion of these services. However, monies generated by this fee fell way short of the predictions. Mainly because of various reasons both good and bad, but I will not expound upon them at this time. Because of this shortage some services at the Kansas Law Enforcement Training Center have been cut back.

What does this mean to me? As a person in charge of the training academy for the Wichita Police Department, certain valuable training that can only be acquired at the Kansas Law Enforcement Training Center has caused unnecessary pressure to be placed on their budget.

*House Judiciary
March 27 1980*

The best example of this is in the area of Emergency Vehicle Operation. This training teaches an officer not only to operate an emergency vehicle under stressful situations but also, instills good defensive driving habits. There is no other facility in the state that will provide this training for our officers. Training that could eventually save the cities, counties or even the State of Kansas millions of dollars in civil actions regarding accidents involving emergency vehicles.

In recent years the Kansas Law Enforcement Training Center has had to cut back in the area of this training for our department. Something they have apologized for many times over. Something that I, as a budget conscious administrator, understand clearly. However, with Senate Bill 595, we have a chance to remedy this type of regressive action without an increase in any tax or a transfer of any funds from another equally important project. Because of this, I ask for your support on this bill.

Thank you very much.



CAPTAIN RICK L. EASTER
Commander Training Center
Wichita Police Department

Commissioner Kansas Law
Enforcement Training Commission



M E M O R A N D U M

TO: The Kansas State Legislature
Judiciary Committee

FROM: Tom Barrett, Chief of Police
Parsons, Kansas

DATE: March 27, 1986

RE: Senate Bill 595

I am taking this opportunity to express strong support for an increase in the docket fee to support the Kansas Law Enforcement Training Center at Hutchinson. This aspect of Senate Bill 595 is directly addressing a critical need in Kansas law enforcement.

The shortfall in funding is well described in the Performance Audit Report of the Law Enforcement Training Center done by the Legislative Post Audit Division in December 1985. Further, the Center has suffered from inadequate funding since 1983. Without a significant infusion of capital as would be seen by an increase in the docket fee, the problems at the State Law Enforcement Training Center which are a result of inadequate funding will spread on a state-wide basis to law enforcement agencies.

Currently we are experiencing the seriousness of this situation in the form of increased tuition fees for special seminars, payment for all materials taken from the Center, and relocating of regional training by the State Law Enforcement Training Center to Hutchinson. Now it's quite possible that the larger departments in the state are more adequately able to cope with this situation and absorb the cost of training. It seems evident that small cities' limited budgets will suffer dramatically as the increase in fees makes it more difficult to train law enforcement officers in the state. The law enforcement curriculum which is currently 320 hours is adequate for law enforcement training; however, should be considered just the beginning of an extensive training career.

The increased cost of basic law enforcement training will seriously affect the ability of smaller departments to provide additional inservice training and advanced training for their law enforcement officers. This essentially may make the 40-hour continuing training requirement more difficult to meet. Speaking as a Chief on a municipal level, I am well aware that tightening budgets are something that we all need to be concerned about. The failure to properly fund the Law Enforcement Training Center will retard the significant progress that has been made in the past five years in the Kansas law enforcement community. This problem affects all

counties and cities in the state. It is a situation that is serious to each and every one of your constituents. By adequately training new recruits in a 320-hour basic course and by requiring the compliance to the 40-hour continuing education requirement of the state, we are building the quality of law enforcement officers in the state. We are all well aware of the tort-infested court system and how it affects government liability. The amount that will be raised by the increase in the docket fee would be considered but a small settlement in a liability suit for a governmental agency. The investment of that capital in law enforcement training will save many times that amount of money by adequately educating law enforcement officers to complete their job correctly.

I currently represent all First Class Cities' Chiefs of Police as a Commission Member on the Law Enforcement Training Commission. In this role I can tell you that the Law Enforcement Training Commission has unanimously supported this effort for the last two years. As a member of the Board of Directors of the Kansas Chiefs of Police Association, I can assure you that the Kansas Chiefs have gone on record supporting the increase in the docket fee for the support of the Kansas Law Enforcement Training Center. As the Chief of Police of a small First Class city in the state and a representative of the Southeast Kansas law enforcement community, I will tell you that support for this docket fee is evident and necessary. In the past years we have been able to handle an overload training course in Southeast Kansas which handles a class size of approximately 30 to 50. This course has been important in raising the consciousness of law enforcement professionals in this area. The increased funding of the docket fee is essential in the development of law enforcement in the state. The erosion of a strong foundation that has been built is clearly evident as we see the Center having to cope with serious financial hardship.

This committee's recommendation on Senate Bill 595 will have significant impact on law enforcement training for several years to come. It is my firm opinion that government be it Federal, State, or local government, has a responsibility to provide for the safety and security of the public. This can only come when there is a system for adequately training those who must provide that security.

TB:jb



MAYNARD L. BRAZEAL
Director
316-662-3378

THE UNIVERSITY OF KANSAS
KANSAS LAW ENFORCEMENT TRAINING CENTER
P.O. Box 647
Hutchinson, Kansas 67504-0647



TESTIMONY

re

Senate Bill 595
before
House Judiciary Committee

Since there are other members of the law enforcement profession present who will give testimony as to the need to raise the docket fee \$2.00 in order to adequately fund the mandated training program, I will only address three specific areas of concern.

1. Facilities - In 1969 when we opened the facilities on the former Naval Air Station it was suggested by the Architect Office that extensive refurbishment take place. A total of \$105,000.00 was budgeted for capitol improvements. In my 16½ years as Director of the Kansas Law Enforcement Training Center no other capitol improvement money has been allocated. Therefore we have bathrooms that are deteriorating, ceilings which have leaked which in turn have destroyed dormitory rooms which could house seven officers. On one occasion, because of lack of space we tried to use one of the rooms that was only slightly damaged, and during the night the ceiling fell. This shortage of living space has caused us to fall behind in keeping up with enrollment, thus giving some law enforcement agencies the moral excuse to violate the law.
2. Instructional material - Always in the past, even when funded by the federal Law Enforcement Assistance Administration, we were able to provide without cost to the basic participants training material, e.g., Traffic Code Books, Criminal and Procedural Code Books, Traffic Accident Investigation Manuals, etc. Because of the shortage this year we are unable to provide officers with this material except on loan.
3. Assistance in the 40 hour mandated in-service program - In 1982 when the legislature really put Kansas in the forefront of the law enforcement training business by enacting a 40 hour in-service training mandate I promised the Legislative Interim Committee that the Kansas Law Enforcement Training Center would do everything possible to take the training to the small rural law enforcement agencies. We have accomplished this up to the present. Unfortunately with the tremendous shortfall we have experienced we are finding it more and more difficult to carry out this promise.

As the Legislative Post Audit indicated, we are not talking about expansion of the program. We are only trying to perform our mission by carrying out the statutory mandate.

House Judiciary
March 27, 1986

TESTIMONY OF THOMAS E. KELLY
DIRECTOR, KANSAS BUREAU OF INVESTIGATION
BEFORE THE HOUSE JUDICIARY COMMITTEE
ON SB 595
MARCH 27, 1986

I appear today as a proponent of Senate Bill 595.

Mandated training for law enforcement officers in our state has been in place since approximately 1968 and since that time we have witnessed a steadily improving level of competency on the part of the law enforcement community. Through our mandated basic and in-service training requirements we have assured the citizens of our state that our law enforcement officers on the state and local levels will be well grounded in the fundamentals of their job and will remain current through continued training. This has been made possible by the establishment of the Kansas Law Enforcement Training Center under the guidance of the Continuing Education Department of the University of Kansas, and it is imperative that we keep our programs for the benefit of law enforcement throughout our state.

Speaking from the standpoint of a state law enforcement unit, I am deeply concerned with the current lack of funding for the operation

*House Judiciary
March 27 1986*

of the Kansas Law Enforcement Training Center and I am aware certain capital improvements must be made in the very near future. Many of our state agencies are dependent upon the training center for their basic and specialized training requirements and in the event this training is not available they will be hard pressed to find alternate training resources. I also wish to point out that all state law enforcement agencies are the beneficiaries of the training afforded local units of government in that state and local officers frequently work together on matters of mutual interest, therefore, they must have a common understanding of basic law enforcement principles. Cooperation among our various law enforcement units is absolutely essential for the protection of our citizens and this spirit of cooperation is supported in part by the knowledge received by officers during their basic and in-service training courses.

I believe it is imperative to find additional funding for this very important public safety function. If such funding is not forthcoming, it is clear our level of competency in law enforcement training will be seriously diminished. Training is the cornerstone for adequate law enforcement performance and if we fail to maintain our standards because of reduced training, our citizens are the ultimate losers. I urge positive consideration of SB 595.

Thank you for the opportunity to appear before you.

MAR 27, 19

TESTIMONY BY:

SHERIFF TERRY CAMPBELL

SENATE BILL 595

CHAIRMAN AND MEMBERS OF THE COMMITTEE, I TOO APPRECIATE THE OPPORTUNITY TO APPEAR BEFORE YOU TODAY IN SUPPORT OF SENATE BILL 595.

BEING A MEMBER OF THE KANSAS LAW ENFORCEMENT TRAINING COMMISSION AND MORE DIRECTLY ASSOCIATED AS SHERIFF OF LEAVENWORTH COUNTY, I SEE AN URGENT NEED TO ADDRESS FUNDING FOR THE TRAINING OF OUR LAW ENFORCEMENT OFFICERS THROUGHOUT THE STATE.

THE UNIVERSITY OF KANSAS, MAYNARD BRAZEAL, AND THE STAFF AT THE ACADEMY ARE TO BE COMMENDED FOR THE PROFESSIONAL MANNER IN WHICH THEY HAVE ADMINISTERED THE TRAINING OF LAW ENFORCEMENT OFFICERS ON A BARE-BONES BUDGET. TO SEE THAT LAW ENFORCEMENT OFFICERS RECEIVE TRAINING, THEY HAVE TO NEGLECT THE PHYSICAL FACILITY AT THE ACADEMY TO AN EXTENT THAT CAUSES GREAT INCONVENIENCE TO THEMSELVES AND OFFICERS ATTENDING THE ACADEMY. BECAUSE OF THEIR DEDICATION TO TRAINING OFFICERS, OFFICE SPACE AND PERSONAL COMFORT IS SET ASIDE IN ORDER THAT THE OFFICERS CAN RECEIVE WHAT EVER TRAINING THAT CURRENT FUNDS CAN PROVIDE.

NOW WE HAVE REACHED A POINT THAT THEY CANNOT SACRIFICE ANYMORE. THE CLASSROOMS ARE OVERCROWDED DUE TO THE NUMBER OF NEW OFFICERS BEING HIRED. (THIS I MIGHT ADD IS DUE TO THE PRIVATE SECTOR SNATCHING OFFICERS BECAUSE OF BETTER PAY AND BENEFITS) THE DORMITORY IS IN DIRE NEED OF REPAIRS JUST TO MAKE IT SAFE NOT TO MENTION LIVABLE FOR THE OFFICERS TO RESIDE. IT IS NOT JUST ENOUGH TO PROVIDE TRAINING TO OUR LAW ENFORCEMENT OFFICERS, WE MUST PROVIDE THAT TRAINING IN AN ENVIRONMENT CONDUCIVE TO THE LEARNING PROCESS AND ADVANCED EDUCATION.

EVERYDAY WE SEND LAW ENFORCEMENT OFFICERS OUT IN SOCIETY TO DEFEND OUR LIVES AND PROPERTY AND TO DO SO WITH WHATEVER SACRIFICE THEY MUST MAKE TO SEE THAT THIS TASK IS PERFORMED. WE PLACE ON THESE OFFICERS THE AUTHORITY TO DO THEIR SWORN DUTY AND GIVE THEM THE TOOLS (THE CAR, THE FLASHLIGHT, THE TAPEMEASURE, THE REPORT PAD, AND "THE WEAPON") TO DO THAT DUTY. SHOULD WE NOT ASSURE, THAT WITH THIS TREMENDOUS AUTHORITY AND THE CONSEQUENCES THAT MAY RESULT BY THE USE OF THAT AUTHORITY; SHOULD WE NOT ASSURE OUR PROTECTION AND LIABILITY BY PROVIDING THE BEST TRAINING AVAILABLE TO THESE OFFICERS - OUR PROTECTORS OF SOCIETY.

A LAW ENFORCEMENT OFFICER CARRIES ON HIS SIDE THE POWER OF LIFE AND DEATH. THERE ARE OTHER PROFESSIONS THAT ARE CHARGED WITH THE PRESERVATION OF LIFE SUCH AS DOCTORS, NURSES, MEDICAL TECHNICIANS, ALL MANDATED BY LAW TO HAVE EXTENSIVE TRAINING. SHOULD WE EXPECT LESS FROM OUR LAW ENFORCEMENT OFFICERS WHO ARE NOT ONLY CHARGED WITH THE RESPONSIBILITY OF THE PRESERVATION OF LIFE, BUT ALSO THE EXCRUCIATING DECISION ON WHETHER OR NOT TO TAKE A LIFE? TREMENDOUS AUTHORITY AND RESPONSIBILITY SHOULD BE BACKED BY EXTENSIVE TRAINING.

AS SHERIFF, I ALSO VIEW TRAINING IN SOMEWHAT OF A DIFFERENT LIGHT THAN THAT OF A CHIEF OF POLICE SINCE BY LAW I AM RESPONSIBLE FOR THE ACTIONS OF MY DEPUTIES. USUALLY WHEN A POLICE OFFICER ERRORS, THEY SUE THE CITY. WHEN A DEPUTY ERRORS THEY SUE THE SHERIFF. I CARE WHAT TYPE AND HOW MUCH TRAINING MY DEPUTIES RECEIVE. FOR MY FAMILIES SAFETY AND FOR MY BILLFOLDS SAFETY, I WANT THEM WELL TRAINED. AS THE OIL COMPANY'S ADVERTISEMENT STATES, "PAY ME NOW OR PAY ME LATER", I PREFER TO PAY IN TRAINING NOW RATHER

THAN IN LIABILITY SUITS LATER.

YOU IN OUR STATE LEGISLATURE ARE CURRENTLY ADDRESSING MANY IMPORTANT ISSUES PERTAINING TO THE SAFETY AND WELL-BEING OF THE CITIZENS OF OUR STATE. PLEASE BE ASSURED THAT THE ISSUE OF PROPER AND QUALITY TRAINING FOR ARE LAW ENFORCEMENT OFFICERS IS JUST SUCH AN ISSUE. SENATE BILL 595 IS A MEANS TO PROVIDE QUALITY TRAINING AT A COST TO THE PERPETRATORS OF CRIMES AND NOT THE LAW ABIDING CITIZENS.

YOUR POSITIVE VOTE FOR SENATE BILL 595 WILL BE A TREMENDOUS HELP TO PROVIDING A SAFER KANSAS.

THANK YOU!