

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Senator Vratil at 9:40 a.m. on March 25, 2002 in Room 123-S of the Capitol.

All members were present except: Senator Adkins (excused)

Committee staff present:

Gordon Self, Revisor
Mike Heim, Research
Mary Blair, Secretary

Conferees appearing before the committee:

Kathy Olsen, Kansas Banker's Association (KBA)
Melissa Wangemann, Office of Secretary of State
Mike Pepoon, Sedgwick County
Mike Taylor, City of Wichita
Ed Pavey, Director, Kansas Law Enforcement Training Center (KLETC)

Others attending: see attached list

The minutes of the March 20th and 22nd, 2002 meetings were approved on a motion by Senator Donovan, seconded by Senator Schmidt. Carried.

Final action:

SB 648—corrections; re: day reporting center in Wyandotte county

Following the Chair's review of **SB 648**, Senator Goodwin made a motion to pass the bill out favorably, Senator O'Connor seconded. Discussion followed with an update by a Unified Government representative on the current status of negotiations between the DOC and local government in Wyandotte County. The DOC secretary answered questions from Committee members. Senator Gilstrap offered a substitute motion to change the date the bill would become effective, in the statute book July 1, 2002, Senator O'Connor seconded. Discussion followed. Motion failed 3-5. The first motion by Senator Goodwin was voted on and carried, with Senator Haley requesting his nay vote be recorded.

HB 2880—specimen collection

Following the Chair's review of **HB 2880**, Senator Schmidt moved to pass the bill out favorably, Senator Umbarger seconded. Following discussion, Senator Schmidt moved to amend his motion to amend the bill as proposed by the KBI balloon amendment and as proposed by the OJA, Senator Umbarger seconded. Senator Oleen offered a substitute motion to pass the bill out favorably as amended with the KBI balloon amendment and as proposed by OJA, seconded by Senator O'Connor. After discussion, Senator Oleen withdrew her substitute motion. Senator Schmidt modified his motion to exclude the amendment proposed by the OJA and Senator Umbarger consented. The Committee then voted on Senator Schmidt's motion to pass the bill out favorably as amended by the KBI balloon amendment. Motion carried.

Hearing on:

HB 2487—Uniform commercial code; re: transactions

Conferee Olsen testified in support of **HB 2487**, a bill which makes technical amendments to the revised Article 9 of the UCC regarding the filing of liens with the Secretary of State. She discussed the purpose of the proposed amendments and explained why they are necessary.(attachment 1) Discussion followed.

Conferee Wangemann testified in support of **HB 2487**. She stated that the purpose of the amendments is to create a uniform filing system for all liens that are recorded in the office of the secretary of state, to create a uniform fee schedule, and to clean up references to old Article 9 contained in the lien statutes.(attachment 2)

HB 2802—Kansas Law enforcement training fund; increasing county and municipal court fees

Conferee Pepoon testified in support of **HB 2802**, a bill which would increase municipal court docket fees by \$2 and place that increase in the KLETC Reimbursement Fund and would also make permanent, a \$1 increase to district court docket fees which are scheduled to sunset this year. He briefly discussed the need for the bill and further discussed his support of an amendment by the House COW to allow for an assessment of \$20 as county court costs for violation of Sedgwick County resolutions. He described the purpose and role of a county court.(attachment 3).

Conferee Taylor testified in opposition to **HB 2802**. He discussed concerns about the fiscal impact this bill will have on citizens who go to the Wichita Municipal Court and stated that this large court will have to pay a disproportionate share to support the KLETC without reaping the benefits since the Wichita Police Department has it's own police academy.(attachment 4)

Conferee Pavey testified in support of **HB 2802**. He presented a detailed overview of KLETC's history, reviewed its current financial status, discussed why the bill targets the municipal courts and described how implementation of the bill's provisions would benefit not only KLETC, but the entire state as well.
([attachment 5](#))

Written testimony supporting **HB 2802** was submitted by: Police Chief Frank Denning, Roeland Park, KS.; ([attachment 6](#)) Joe Palacios, City Manager, Hutchinson, KS;([attachment 7](#)) Police Chief Dean Akings, Great Bend, KS.;([attachment 8](#)) Police Chief John M. Douglass, Overland Park, KS.;([attachment 9](#)) and Sheriff John Foster, Johnson County, KS.([attachment 10](#))

Written testimony opposing **HB 2802** was submitted by Sandra Jacquot, League of Kansas Municipalities.
([attachment 11](#))

The meeting adjourned at 10:34 a.m. The next scheduled meeting is March 26, 2002.

SENATE JUDICIARY COMMITTEE GUEST LIST

DATE: 3-25-02

NAME	REPRESENTING
Mike Taylor	City of Wichita
Kathy Olson	KS Bankers Assn
Kathy Porter	Judicial Branch
John M. Douglass	KACP
Whitney Dameron	KS Bar Assn.
Jeff Bo Henberg	KS Peace Officers Assn, KS Sheriff's
Curt Bennett	Dickinson Co K.L.E.T.C.
RANDY ADAIR	City of Topeka P.D.
Glen Rochanowski	Saline County Sheriff's Office
John R. FLETCHER	Russell County Sheriff's Office
Ed Klump	TOPEKA PD
GARY STEED	SEDGWICK COUNTY SHERIFF
Randy L. Rogers	Coffey County Sheriff
Ron Gould	Kansas Law Enforcement Training Center
JoAnn Smith	KU CONTINUING EDUCATION
John Simmons	Lansing Police Dept.
DEAN AKINGS	GREAT BEND POLICE DEPT.
MICHAEL WILLIAMS	EMPORIA POLICE DEPT.
TERRY MAPLE	KS. Hwy. PATROL

SENATE JUDICIARY COMMITTEE GUEST LIST

DATE: 3/25/02

NAME	REPRESENTING
John FOSTER HB2802	KANSAS SHERIFF'S ASSN.
FRANK DENNING	KANSAS POLICE OFFICER'S ASSOC.
Charles Simmons	Dept. of Corrections
Brenda Harmon	KSC
Mike Pepoon	Sedgewick County
Loraine Hardy	Strawberry Hill Group
Diane Lloyd	" " "
Tom Dwyer	AAI / CDO
Jennifer Rose	City of Hutchinson
Ed H Pavey	Kansas Law Ent. Training Ctr
Erik Sartorius	City of Overland Park
Sandy Jacquet	LKM
Kevin Baron	Hein law firm
KATH R LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
Delany Hayes	Federico Consulting
Jim J. Fedorin	CSI
Melissa Wangemann	Sec. of State
Fariba Pouranyan	Sec. of State
Kyle Smith	KBI



March 25, 2002

To: Members of the Senate Judiciary Committee

From: Kathleen Taylor Olsen, Kansas Bankers Association

Re: HB 2487: UCC Revised Article 9

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to appear before you today in support of **HB 2487** which represents amendments to the recently revised Article 9 that were suggested by the Uniform Law Commissioners.

We are generally supportive of the amendments and are particularly interested in seeing that the amendments to Section 20 on Pages 30-31 are passed. Very briefly, these provisions give very helpful guidance regarding the method of amending, continuing and terminating pre-effective-date financing statements. Pre-effective-date financing statements are those financing statements that were on file before July 1, 2001. While Revised Article 9 provides guidance on maintaining the effectiveness of these filings through the transition to the new rules found in Revised Article 9, there were some significant details missing. There were no rules telling lenders where they could file amendments or termination statements with regard to these pre-existing filings. The amendments found in Section 20 fill in the gaps and will help lenders make the transition within Revised Article 9 smoothly.

Thank you and we respectfully request that you act favorably on the passage of **HB 2487**.

*SJed
3-25-02
Att*

RON THORNBURGH
Secretary of State



First Floor, Memorial Hall
120 SW 10th Ave.
Topeka, KS 66612-1594
(785) 296-4564

TESTIMONY OF THE SECRETARY OF STATE
TO THE SENATE JUDICIARY COMMITTEE
ON SUBSTITUTE HB 2487

MARCH 25, 2002

Mr. Chairman and Members of the Committee:

The Kansas Secretary of State supports the passage of HB 2487, which contains the technical amendments proposed by the National Conference of Commissioners on Uniform State Laws (NCCUSL) to revised article nine of the uniform commercial code.

At our request, the House Judiciary Committee added amendments to HB 2487 so that non-UCC liens that are filed in our office would be subject to the filing procedures used for UCC documents. These amendments go one step further in creating a uniform filing system for all liens that are recorded in our office. Our amendments address mortgages filed by pipelines companies and public utilities pursuant to K.S.A. 17-630; agricultural input liens filed pursuant to K.S.A. 58-244; mortgages filed by railroad companies or public utilities pursuant to K.S.A. 66-1217; and federal tax liens filed pursuant to K.S.A. 79-2616.

The House amendments require filings pursuant to K.S.A. 17-630, 58-244 and 66-1217 to include the national UCC form with the filing. Because all liens—whether they are UCC or nonUCC—are recorded in one filing system within our office, this requirement is needed to create a standard format for the name, address, and other information that our filing system can recognize. Proper recognition of the party names

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and addresses will ensure that our office files and indexes the document correctly, which will assist the public in searching and retrieving this information.

The current practice of our office is to file and index these non-UCC liens in our UCC filing system. Two of the statutes I mentioned currently mandate that the documents be filed in the UCC system; the House Judiciary Committee also codified the requirement in K.S.A. 17-630 and K.S.A. 66-1217. Again, the purpose of the amendment is to create a uniform filing system and to facilitate access to these records.

The House Judiciary Committee also included a provision making the filing fees and search fees for these filings identical to the fees charged for UCC documents, creating a uniform fee schedule within our office.

Lastly, the House amendments clean up references to old article nine contained in these lien statutes.

I appreciate your support of the substitute bill, and would be happy to answer questions.

Melissa Wangemann, Legal Counsel
Deputy Assistant Secretary of State



GOVERNMENT RELATIONS

Sedgwick County Courthouse
525 N. Main, Suite 365
Wichita, KS 67203
Phone: (316) 383-7552
Fax: (316) 383-7946

Michael D. Pepoon
Director

TESTIMONY HB 2802
Before The Senate Judiciary Committee
February 12, 2002

Honorable Chairman Vratil and members of the committee, I appreciate the opportunity to testify in support of HB 2802 as amended. I am the Director of Governmental Relations for Sedgwick County and have been a lawyer in the County Counselor's Office for the past eighteen years. I am appearing on behalf of Sedgwick County Sheriff, Gary Steed, and the Board of County Commissioners of Sedgwick County.

We support legislation allowing for an additional \$2.00 assessment for municipal court fees in order provide additional funding for the Kansas Law Enforcement Training Center in Hutchinson, Kansas. The Sedgwick County Sheriff's Office works very closely with and is assisted by the Law Enforcement Training Center and we support legislation which provides additional revenue to the Center to further enhance their operations.

Sedgwick County also supports the amendment to the bill by the House Committee of the Whole to amend K.S.A. 19-101e and K.S.A. 19-4707 to allow for an assessment of \$20 as county court costs for violation of Sedgwick County resolutions. Currently under K.S.A. 19-101e, Sedgwick County can only assess a \$1 court cost for county code violations. The entire \$1 goes to the State of Kansas with 50 cents earmarked for the protection from abuse fund and 50 cents earmarked for the crime victims' assistance fund. Pursuant to this proposed legislation, a court cost of \$20 would be added to county court cases with \$2 going to the State of Kansas for the above funds and \$18 going to the county general fund.

It is very costly to operate a county court operation to enforce county resolutions. It is not even close to a break even proposition. Last year we processed about 1500 cases in Sedgwick County which would have brought in the additional court cost. This would mean an additional \$27,000 for Sedgwick County and essentially pay for a prosecutor's position. While this isn't a large amount of money in comparison to revenue the County is likely to lose due to the State's budget crisis, every little bit helps. Furthermore, it makes more sense for the violators of county resolutions to pay for this expense as opposed to the taxpayers of Sedgwick County.

For the above reasons Sedgwick County strongly supports HB 2802 as amended.

"...To Be The Best We Can Be."

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TESTIMONY

City of Wichita
Mike Taylor, Government Relations Director
455 N Main, Wichita, KS. 67202
Phone: 316.268.4351 Fax: 316.268.4519
Taylor_m@ci.wichita.ks.us

House Bill 2802 State Mandated Increase in Municipal Court Fees

**Delivered March 25, 2002
Senate Judiciary Committee**

The City of Wichita has serious concerns about the fiscal impact House Bill 2802 will have on citizens who must go to Wichita Municipal Court. House Bill 2802 proposes a \$2 increase in the state mandated portion of court costs, but Wichita citizens will receive very little benefit in return.

Wichita Municipal Court is the largest local court in the state and therefore will pay more to fund the Kansas Law Enforcement Training Center than any other city. The Wichita Police Department has its own Police Academy and uses the Kansas Law Enforcement Training Center on a very specific and limited basis. Out of 840 hours of training Wichita Police Officers are required to have, only about 40 hours is done at the Kansas Law Enforcement Training Center.

Wichita Municipal Court charges costs of \$38. Here's the breakdown:

- \$23.50 Court operations
- \$7.50 State mandated court costs.
- \$7.00 City Domestic Violence Programs and the Public Defenders Program.

Under House Bill 2802, the cost of State mandated fees will increase to \$9.50. That's more than the fees charged for the local Domestic Violence and Public Defenders Program which directly benefit people who find themselves in Municipal Court.

Wichita Municipal Court collects about \$3-million annually in court costs. Of that amount, about \$500,000 is collected for and sent to the State. While the additional \$2 fee is a pass through and will

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be explained to citizens as a State mandated increase imposed on them, that doesn't make it easier for people to pay those costs.

As you have heard me say in previous testimony on Senate Bill 522, Wichita Municipal Court has a serious and growing problem with delinquent fines. Because of recent court rulings, we can't put people in jail for not paying fines, we can't even use a voluntary community service program for people to work off their fines. All we can do is turn them over to a collection agency and, because this committee rejected Senate Bill 522, we can't even recoup the cost of that collection process from the person who owes the delinquent fine. I don't know what kind of fiscal impact raising court fees will have on the delinquent fine problem, but it probably won't help. I don't know if the Kansas Law Enforcement Training Center took the huge delinquent fine problem in Wichita Municipal Court into account when it calculated projected revenues from this bill.

House Bill 2802 also now includes an amendment to allow County Courts which deal environmental and other code enforcement violations to collect higher court costs. The City of Wichita does not have a position on that portion of the bill.

The City of Wichita works hard at keeping Municipal Court costs reasonable. Increasing the State mandated fees by an additional \$2 puts an unfair burden on the Wichita citizens who use Municipal Court, without returning a tangible benefit.

**The University of Kansas
Kansas Law Enforcement Training Center
Hutchinson, Kansas**

**KLETC Funding:
2002 House Bill No. 2802**

KLETC's History

In 1968 the Kansas Legislature established the Kansas Law Enforcement Training Center as the central law enforcement training facility and headquarters for all law enforcement training in Kansas. The training center is located on a former US Naval Air Station near the community of Yoder, Kansas, 12 miles southeast of Hutchinson. As part of its legislatively established mission, KLETC provides basic training to the overwhelming majority of municipal, county, and state law enforcement officers in Kansas (over 400 officers annually) and oversees, supervises, and monitors the training of the remaining officers at seven certified training academies operated and funded by local or state law enforcement agencies. In order to accomplish this task, KLETC employs 29 unclassified and classified personnel and utilizes contractual food, cleaning, and security services. Additionally, the Legislature in 1982 designated KLETC as the repository of law enforcement officer employment and training histories. KLETC's Central Registry now maintains and monitors the files of over 7,000 active and 14,000 inactive law enforcement officers.

KLETC's Present Financial Status

Since fiscal year 2001, annual expenses have exceeded annual docket fee revenue, and the costs continue to rise. KLETC just recently completed its long-term capital improvement program that began with a master plan approved by the Kansas Legislature in 1986. In 1998, KLETC's new 4-story, 32,500 square foot, 107-bed dormitory came on-line, and shortly after that KLETC's newly renovated instructor office building was completed. Additional buildings bring additional and increased costs. Utility costs and contractual services that provide for food service, cleaning, and security have increased along with salary and fringe benefit expenses. Together these items have increased nearly \$721,000 since FY98 with no corresponding increases in funding. Moreover, KLETC is geographically isolated from the main campus of The University of Kansas so it receives no central service support. Facility maintenance, capital improvements, equipment expenditures, and catastrophic facility emergencies must all be funded from the KLETC budget.

Additional costs are associated with facility, technology, and equipment needs to fulfill KLETC's mandated mission. The size of the basic training class increased from 56 to 84 student officers. The increase resulted in 140 additional officers being trained annually. A new KLETC campus telephone operating system installed in March of 1999 added approximately \$25,200 in costs annually. Technology plays an increasing role in law enforcement and training. To handle these changes, KLETC hired a technology coordinator in FY99. This position added \$41,910 in costs annually. Distance learning via the Regent's Telenet 2 network is an example of a new technology that allows KLETC to reach officers throughout the state with a capacity of 20 simultaneous sites receiving instruction at any of 33 locations. Since Telenet 2's implementation in FY96, KLETC continues to provide a minimum of 24 two-hour sessions annually at a cost of nearly \$20,000. Not all additional expenses are related to technology. KLETC continues to purchase and replace much-needed emergency vehicle driver-trainer vehicles and other training-related equipment.

The Kansas Law Enforcement Training Commission, a 12-member regulatory commission created by the Legislature and appointed by the Governor to oversee law enforcement training and certification, requested authority to employ its own full-time investigator beginning in FY99. A full-time investigator hired in FY99 now represents a salary and benefit commitment of \$38,000. Projected investigative-related travel and Commission hearings mandated by the Kansas Administrative Procedures Act now require an additional operations fund commitment of \$18,000 annually. The Legislature designated in KSA 74-5619 that all Training Commission expenditures related to carrying out its powers and duties must be paid from the "law enforcement training center fund."

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Nearly A Decade With No Increases

KLETC receives no funding from general fund revenue. Instead, the Legislature determined that court docket fees should be utilized to fund law enforcement training. In this way, general taxpayers are not asked to pay for law enforcement training; rather the financial burden falls upon those who violate the law. KLETC relies upon this legislatively designed "user tax" to fund constantly increasing salary and operating costs. The Legislature established the current remittance levels for docket fees in 1992 for municipal courts and 1994 for district courts. In short, KLETC operates today with remittance levels established 10 and 8 years ago, respectively.

KLETC's funding was last before the Legislature in 1998. At that time, KLETC did not request an increase in docket fee remittances, instead KLETC asked to retain \$1 of the district court remittance level that was scheduled to "sunset" in the following year. Rather than eliminate the "sunset" provision, the Legislature extended the "sunset" date to July 1, 2002.

Proposed Legislation

The bill currently before the Legislature would revise the funding provisions in both the district court and the municipal court docket fee remittance. The bill would repeal the sunset provision found in KSA 20-362(e) that takes effect July 1, 2002 for the district court docket fee, allowing KLETC to retain the present level of \$9. Based upon historical averages, if KLETC's remittance level falls from \$9 to \$8, KLETC would lose a projected \$200,000 in annual funding. The bill also increases the docket fee remittance level for municipal courts found in KSA 12-4117(a)(2) effective July 1, 2002. Again based upon historical averages, this additional \$2 would generate a projected \$570,000. Current projections reflect that the retention of the district court docket fee level and the increase in the municipal court docket fee level would allow KLETC to operate until FY 2006 with no additional increases.

Why Target the Municipal Courts?

Based upon current remittance levels, the district court docket fee provides \$1.8 million dollars annually, and the municipal court docket fee provides \$570,000 annually. Based upon the records from 1998 through 2001, which are typical training years, almost 51% of the officers trained at KLETC are employed by municipal law enforcement agencies. During that same period, municipal court docket fee revenue accounted for only 24% of KLETC's total budget. Even assuming the remittance level is increased from the municipal court (and the district court remittance level is maintained), the municipal court docket fee would only provide 39% of KLETC's total annual revenue. The disparity between revenue provided and services required appears to make the municipal court the most equitable source for the additional funding.

KLETC Funding Benefits the Entire State

The Legislature established KLETC's mission in KSA 74-5603 to develop and improve law enforcement "throughout the state." KLETC recognizes this statewide focus as one of its most important mandates. During FY 2001, KLETC provided basic training programs to officers from law enforcement agencies representing 85 counties, specialized training or continuing education programs to officers representing 81 counties, and interactive distance learning via Telenet 2 to officers representing 43 counties. In summary, KLETC provided training to law enforcement personnel representing 97 of Kansas' 105 counties during FY2001. While this mission is critical for top quality law enforcement throughout the state, this mission requires adequate resources and staff time. KLETC cannot fulfill its mandated mission without additional funding. If additional funding is not provided beginning in FY2003 then the state's central training facility established by the Legislature will be forced to reduce or eliminate programs/services and will be faced with depleting contingency funds set aside for catastrophic facility, equipment and operational emergencies.

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The University of Kansas
Kansas Law Enforcement Training Center
Hutchinson, Kansas

KLETC FUNDING: House Bill No. 2802

Why May There Possibly Be Opposition To H.B. 2802?

- Some contend that increasing court docket fees creates a financial burden on local communities;
- Some contend that larger communities that have their own training academies receive no benefit from the Kansas Law Enforcement Training Center, therefore court fees in those larger cities should not be used to fund the training center;
- Some contend that court fees generated at the local level should not be for the purpose of funding a "state" mandated program.

KLETC Contends That:

- **An increase in court docket fee remittance levels does not create an additional financial burden on local communities; the mechanism for collecting court docket fee revenue is already in place, and violators of the law pay the court fees.** *Cities, counties and state agencies pay no tuition, room or board to send their officers to KLETC for basic training. Court docket fees pay for the total cost of basic training.*
- **Increased docket fees do not result in "tax monies" being removed from local government budgets; court docket fees shift the responsibility for the paying the cost of Kansas' law enforcement training from the "taxpayer" to the "law violator," those who use the criminal justice system.**
- **Just like the cost of education and highways, larger municipalities (because of being population centers) often provide a larger share of revenue for programs that benefit the entire state; regardless of the size of the law enforcement agency's jurisdiction or its geographical location, the citizens of Kansas have an interest in seeing that every Kansas law enforcement officer receives the same high-quality training.**
- **Citizens who reside in large cities are not the only ones who pay docket fees in the large cities' courts; residents of other parts of that county or state receive traffic citations or have criminal-related complaints that are processed through the community's court system and, therefore, pay docket fees in the larger cities.**
- **All of Kansas' 434 recognized law enforcement agencies benefit from services and support provided by KLETC; KLETC provides continuing education and distance learning programs to officers from agencies throughout Kansas, including officers from larger cities that have their own authorized training academies. KLETC serves as the central repository for all training and employment histories; KLETC is working to make internet-based reporting and access of this information possible. KLETC provides basic training programs to the overwhelming majority of Kansas' law enforcement officers.**

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Example of a large city that maintains their own academy program, yet utilizes and benefits from KLETC services at no cost:

- In calendar year 2001, KLETC trained 80 Wichita Police Recruit Officers each in 27 hours of Emergency Vehicle Driver Training, using our facilities and vehicles; and 16 hours each in Crime Scene related training.
- Each Wichita Police Recruit Officer received 43 instructional hours, resulting in a collective total of 3,440 instructional hours for the 80 Officers trained.
- At KLETC's base rate of \$11.40 an instructional hour for each Recruit Officer, the training provided equates to \$39,216, a cost not passed on to the Wichita Police Department or City of Wichita.
- KLETC has been conducting this same training for the Wichita Police Department for several years at no cost to the agency or the City of Wichita.
- Since 1998 we have provided this training to 294 Wichita Police Recruit Officers.

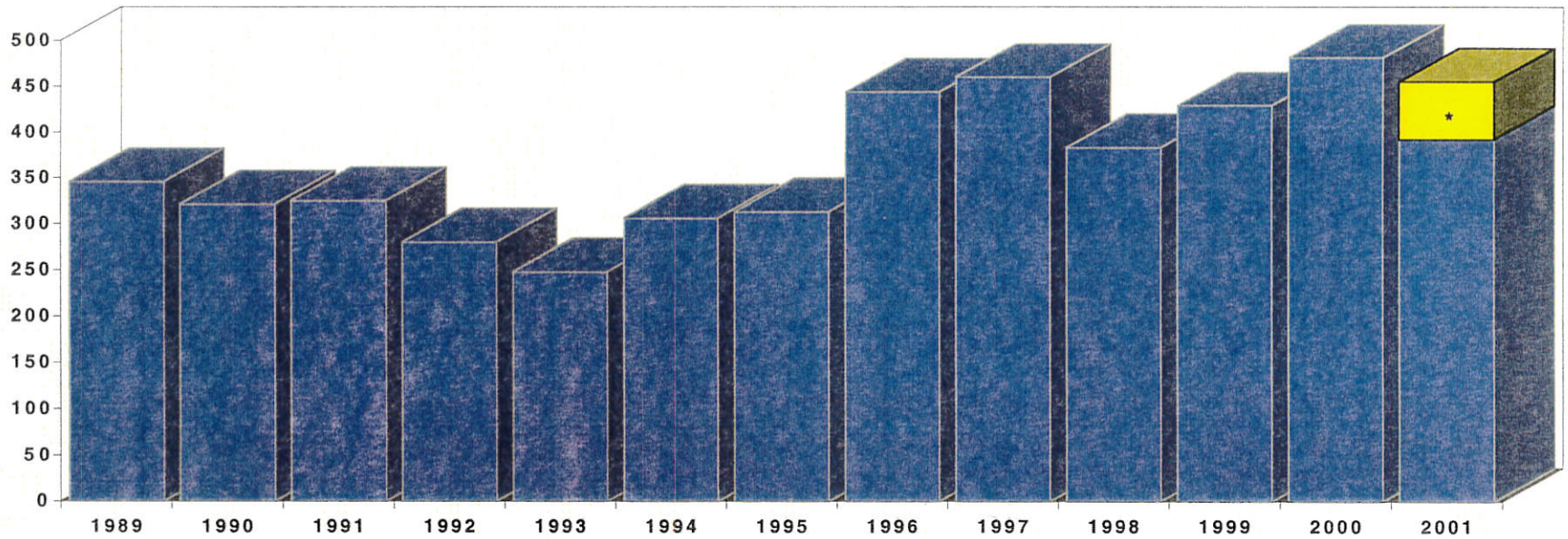


The University of Kansas
Kansas Law Enforcement Training Center
Hutchinson, Kansas



1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
346	321	325	280	248	306	313	444	460	383	429	481	392

Number of Officers Trained Annually in Basic Training Programs at KLETC



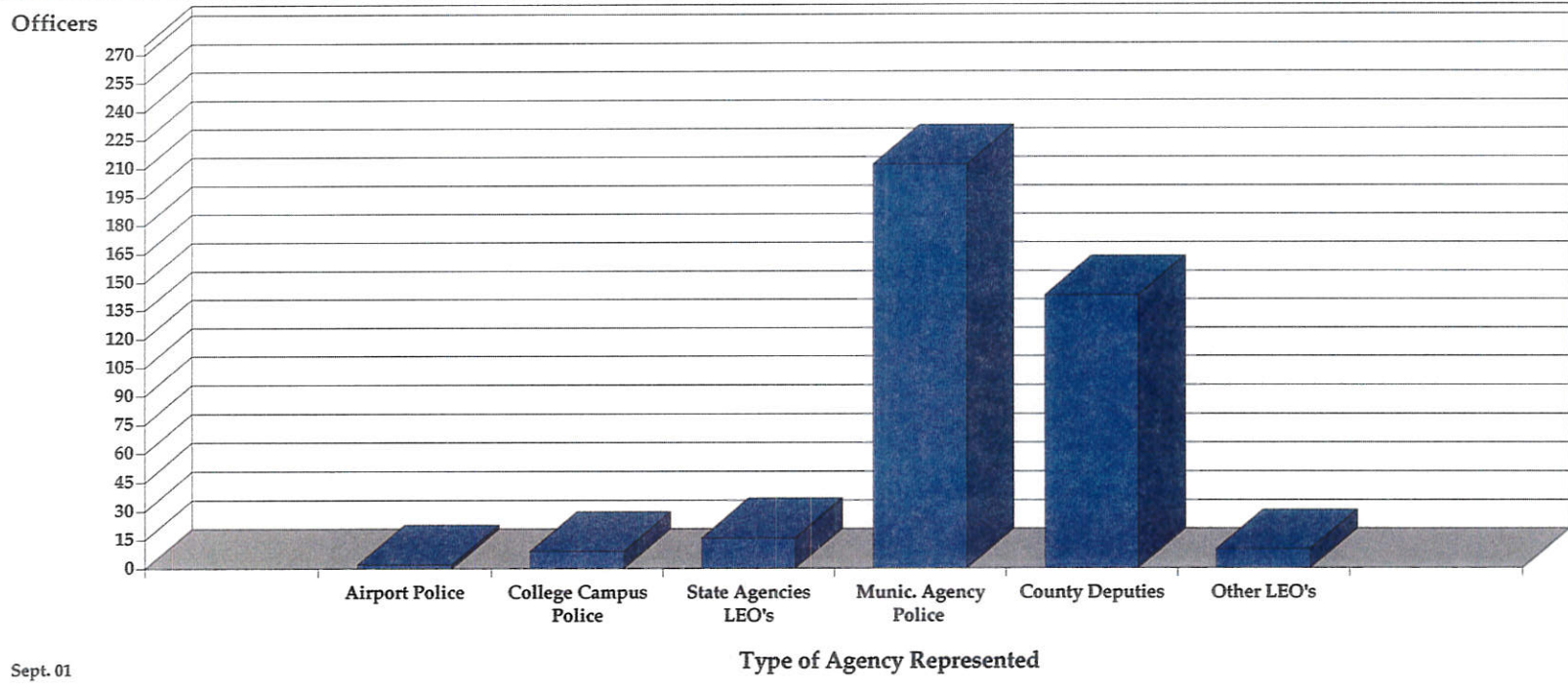
*Decrease in FY2001 number is due, in part to Basic Class #165 which began in FY01 and ended in FY02. Therefore, the numbers for that class will be reflected in the FY02 annual rep

The University of Kansas
Kansas Law Enforcement Training Center
Hutchinson, Kansas

Basic Training Conducted at KLETC
(By Agency Type)

FY2001

	Airport Police	College Campus Police	State Agencies LEO's	Munic. Agency Police	County Deputies	Other LEO's	
	2	9	16	212	143	10	





KANSAS LAW ENFORCEMENT TRAINING COMMISSION

RESOLUTION IN SUPPORT OF INCREASED FUNDING

WHEREAS, the Kansas Law Enforcement Training Center is operating today on docket fee remittance levels established by the legislature in 1992 (municipal court) and 1994 (district court), almost 10 and 8 years ago respectively; and

WHEREAS, annual salary and operating expenses now exceed annual docket fee revenue, and

WHEREAS, the district court sunset provision found at KSA 20-362(e) takes effect July 1, 2002, reducing the remittance level from \$9 to \$8; and

WHEREAS, if the district court sunset provision were allowed to take effect, the Kansas Law Enforcement Training Center would face \$200,000 annually in lost revenue; and

WHEREAS, even with the district court sunset provision repealed, the Kansas Law Enforcement Training Center will only be able to operate through Fiscal Year 2003 without additional funding; now therefore

BE IT RESOLVED that the Kansas Law Enforcement Training Commission urges the Kansas Legislature to repeal the sunset provision found in KSA 20-362(e); and

BE IT FURTHER RESOLVED that the Kansas Law Enforcement Training Commission urges the Kansas Legislature to repeal the district court sunset provision found at KSA 20-362(e), leaving the district court docket fee remittance level at \$9; and

BE IT FINALLY RESOLVED that the Kansas Law Enforcement Training Commission urges the Kansas Legislature to increase the municipal court docket fee remittance level as set by KSA 12-4117(a)(2) from \$2 to \$4, effective July 1, 2002.

APPROVED this 5th day of October, 2001 by the Kansas Law Enforcement Training Commission at an open meeting whose date, time and location were published in the Kansas Register.

THE KANSAS LAW ENFORCEMENT
TRAINING COMMISSION

A handwritten signature in black ink, appearing to read "Darrell Wilson".

Darrell Wilson, Chairperson



KLETC FUNDING ISSUES

What Kansas Law Enforcement Administrators Are Saying....

Chief Oren K. Skiles, Arkansas City Police Department...*"As Police Chief in Arkansas City, I would support retaining the current \$9.00 remittance level from District Court for the Kansas Law Enforcement Training Center and increasing from \$2.00 to \$4.00 effective July 1, 2002, the Municipal court docket fees, that money going to the Law Enforcement Training Center. I have always found that our officers were trained by professional, dedicated instructors at the Law Enforcement Training Center and would not want that level of training to decrease because of inadequacies of funding. Because of the staff, equipment and technology needed to adequately train these police officers, we must provide the Kansas Law Enforcement Training Center with funding to carry out their mandated mission."*

Chief Ronald Miller, Kansas City Police Department...*"An issue of concern involves KLETC funding. I am concerned that the district court collection of the \$9 remittance fee, which supports the State Academy, and our satellite academy, would be adversely affected by the district court sunset provision found in KSA 20-362...Similarly, it is my perspective that most officers trained by the KLETC are municipal police officers benefiting from our municipalities in Kansas and it seems fair that most revenue should be derived from this source. I support efforts to increase the municipal court docket remittance fee from \$2 to \$4. These two reasonable suggestions would positively impact law enforcement in Kansas and allow adequate planning in the years to come."*

Chief Frank Denning, Roeland Park Police Department...*"The foundation for future qualified and skilled officers is formed at KLETC. The funding requests, if adhered to, will ensure only the best for Kansas. The partnership established by KLETC and the law enforcement community remains strong. By removing the sunset provision and increasing the municipal court docket fee remittance level to \$4 will guarantee the commitment KLETC has, and that is to provide the best possible trained law enforcement officers for this great state. KLETC has clearly demonstrated to everyone concerned about fiscal responsibility that no funding requests would be made if there were not needs. This is the right and necessary thing to do. "Let's roll".*

Director William M. Watson, Riley County Police Department...*"KLETC needs funding to support the increase in basic academy training hours and its numerous other training programs. They have thoroughly researched alternatives and I support their proposal to increase Municipal court docket fee from \$2 to \$4. No one likes to see fees increased, but the likely impact on law enforcement training if not properly funded is unacceptable...I cannot emphasize enough the importance of quality training in law enforcement today. You cannot compare the level of responsibility and accountability our officers face daily to any other profession. The liability of not providing the necessary training is unacceptable. We must be willing to provide the resources and funding needed to support KLETC's training mission."*

Chief Ellen T. Hanson, Lenexa Police Department...*"In response to your proposal to increase KLETC operating revenue by repealing the sunset provision of the statute governing district court docket fees and seeking an increase in municipal court docket fees, I again offer my support...In this time of shrinking budgets and shrinking revenues, it would be less than responsible to require new or expanded programs without a way to pay for them."*

Chief Dean Akings, Great Bend Police Department...*"Training that is provided by the Kansas Law Enforcement Training Center is vital to the safety of our citizens and our officers. I strongly support the \$9.00 and \$4 municipal court docket fee funding for KLETC. Costs are elevating in all areas of government and there needs to be special attention given. Let's don't put a price tag on the safety of our officers and citizens. It's the right thing to do!"*

Chief John G. Simmons, Lansing Police Department...*"I absolutely and without reservation support and endorse KLETC's initiatives to increase revenue...you continue to creatively and expertly manage a finite budget; however, you simply cannot continue to provide this high level of training without securing additional revenue. I fully support the following initiatives: (1) Repeal the district court sunset provision found at K.S.A. 20-362(e), allowing KLETC to retain the current \$9 remittance level. (2) Increase of municipal court docket fee remittance levels found at K.S.A. 12-4117(a) from \$2 to \$4 effective 7/1/02."*

James D. Hill, Salina Police Department... "Rather than use tax dollars, it is only right that KLETC continues to be funded by persons who violate the law. Therefore, we favor 1) increasing the municipal court docket fee to \$4.00, and 2) repeal of the district court sunset provision found at K.S.A. 20-362(e), to ensure that KLETC is adequately funded, now and in the future...Thank you for the significant contributions you and your staff make to Kansas' law enforcement community."

Chief Raymond L. Smee, Goodland Police Department... "The Goodland Police Department is very pleased to support...KLETC's fund increase...Financial stability for KLETC is an important goal for the institution to achieve because it literally effects each and every citizen in the State of Kansas. It is a great benefit to the Kansas tax payer that this program is entirely funded by the fees remitted by the courts and not funded through higher taxes. Being a police department representing a municipality, we support the increase paid to KLETC from the municipal court fees."

Chief Dick Heitschmidt, Hutchinson Police Department... "I want to express my support of the continued use of court docket fees as the revenue source for KLETC. I do support the repeal of the sunset provision in K.S.A. 20-362(e) and the increase in remittance found in K.S.A. 12-4117(a)(2)...Shifting the burden of funding KLETC from the violator to the general public, I believe, is unacceptable...Maintaining the District Court docket fee and increasing the defendant's court cost in Municipal Court are the best ways to meet the (funding) needs of KLETC."

Chief Kevin D. Cavanaugh, Fairway Police Department... "It is a tribute to Kansas law enforcement officers and the staff at the Kansas Law Enforcement Training Center that we have thus far been able to provide a high standard of service to the citizens of Kansas. The current docket fee remittance levels for district courts contains a sunset provision which must be repealed in order for funding to continue at the current level of \$9 or face the prospect of losing \$200,000 in annual income. In addition, the municipal court docket fee remittance level needs to be increased from \$2 to \$4...Making these changes will assure that the Kansas Law Enforcement Training Center can fulfill its mandated mission of providing the highest quality of basic training for the officers who serve in the many law enforcement agencies across our great state for the foreseeable future."

Chief Michael J. Heffron, Emporia Police Department... "I firmly agree that the criminal and traffic violators in Kansas should continue to fund the academy through docket fees from county and municipal courts...I know docket fees have increased considerably in many courts across Kansas, and I am surprised to see that your funding has not increased in conjunction with the rise in fees. If there is anything I can do to assist you in your current endeavors, please let me know."

Chief Charles F. Grover, Prairie Village Police Department... "If increasing funding to raise the entire level of professionalism of law enforcement in the State of Kansas is necessary, I would be supportive of that endeavor. I am well aware that in training, quality equates to funding...The job of a law enforcement officer in today's society is much more complex than just ten years ago. If we as a profession are going to continue to provide an excellent quality of service to the communities we serve, the need for better trained officers is paramount."

Chief Jeff Herrman, Ottawa Police Department... "I support your efforts to improve the quality of Kansas law enforcement by increasing the basic training curriculum requirements and to pay for those improvements by repealing the district court docket fee sunset provision and increasing the municipal court docket fee remittance by \$2.00...Making violators pay for law enforcement training has been an excellent solution to financial needs and should be continued. A \$2.00 increase in municipal court docket fees to meet the increased needs for the coming years would make good sense and have little effect on the general public."

Chief David Mayfield, Marion Police Department... "I am expressing my support of (1) repeal the sunset provision regarding district court docket fees of \$9.00 and (2) to increase municipal court docket fees from \$2.00 to \$4.00...It is apparent that to continue to provide the equipment, staff and student needs to train our officers from across the state, the funding must be in place...We must strongly support revenue assistance to the Kansas Law Enforcement Training Center in order to turn out the best trained law enforcement officer we can."

Chief Kenneth Sissom, Merriam Police Department... "I know the center depends, in part, on funds that come from the court docket fees. The continued high level of police training may be at stake. Without this funding, your center may be forced to scale back needed efforts or look for other funding sources from taxpayers. Let the violators help to share this burden through the court docket fees."

Chief Lee Doehring, Leavenworth Police Department... "Please accept my strong endorsement of the (funding) initiatives currently being pursued by the Kansas Law Enforcement Training Center...the assessment of the court docket fees, both in the district court and the municipal court, have been a very successful means of funding the critical training services provided throughout the state without putting an additional burden on individual communities or the taxpayers as a whole. It is only appropriate that those offenders who engage and consume the law enforcement resources of the communities pay for the training of those same individuals who provide those services."

Commissioner Ronald Pickman, Kansas Law Enforcement Training Commission... "I strongly support the use of docket fees to fund KLETC operations...The ability to assess the costs of training law enforcement officers to the very people that utilize a large majority of the officers' time is a unique and extremely fair way to fund this training...The funding provided by docket fees to support the Kansas Law Enforcement Training Center alleviates the burden of how training will be accomplished for many, if not all agencies across the State."

Chief Michael O. Hall, Pittsburg Police Department... "In my opinion, the key factor for the future of our next generation of Kansas law enforcement officers is their Kansas Law Enforcement Training Center education...I strongly encourage and give my full backing to repealing the district court sunset provision. Furthermore, increasing the municipal court docket fees from two dollars to four dollars is very reasonable. It seems logical and appropriate that those who use police and court services bear the cost of educating our law enforcement officers."

Chief James R. Hawkins, Garden City Police Department... "The Garden City Police Department strongly supports the continuation of the current \$9.00 district court docket fee remittance and the increase of the municipal court docket fee remittance from \$2.00 to \$4.00. In order to maintain the high standard of training communities have come to expect for the law enforcement officers who serve them, funding for that training must rise to the level where it can meet 21st Century law enforcement technological demands."

Chief Randal D. Wilson, Maize Police Department... "It is imperative that you and your staff be provided the resources you will need to help our new officers prepare for their responsibilities...Because tax revenues have dropped in recent years creating a number of funding hardships for state agencies, I also agree that the funding vehicle already in place, i.e. court docket fee remittances, is the most logical way to proceed...It is essential that you continue to be given the resources you will need to maintain the standards of training that have been established, and come to be expected, through your organizations' work through the years. The high quality of officers that have received their training through KLETTC attests to the success of your efforts."

Chief Robert H. Circle, Dodge City Police Department... "I fully support increasing our state's municipal court docket fees from \$2 to \$4 effective July 1, 2002. In addition, I support KLETTC retaining the current \$9 per district court docket fee by repealing the district court sunset provision found in K.S.A. 20-362(e)...Due to the importance of KLETTC to our law enforcement community, it is absolutely essential your organization is adequately funded to accomplish its mission...I have been and always will feel that our traffic and criminal offenders, opposed to the law abiding citizens, should fund our state's law enforcement training center to the greatest degree possible."

Chief Ed Klumpp, Topeka Police Department... "We support the continuation of this funding from District Court docket fees at the present level or higher and increasing the Municipal Court docket fees by a minimum of \$2...All training is dependant upon adequate funding. Poor funding inevitably results in poor training, or training not completed. The current source of funding via court costs provides funding for law enforcement training paid for by those whose actions lead to the number of officers certified. It is not only a proper source but it provides funding without burdening the law-abiding taxpayers."

Chief Michael L. Hauschild, Derby Police Department... "KLETTC has provided the maximum and quality training for young men and women entering in their law enforcement profession with limited dollars...Members of the Derby Police Department give strong support for the increased funding for KLETTC."

Chief Ray D. Classen, North Newton Police Department... "I would support the proposal to repeal the sunset provision of K.S.A. 20-362(e) and allow the District Court docket fee to remain at \$9. In addition, I would support increasing the Municipal Court docket fee from \$2 to \$4. You have done an incredible job of maintaining and advancing the excellent training of our law enforcement personnel in the state of Kansas. Keep up the good work!"

Chief Sam Burdreau, Chanute Police Department... "I feel that if there is a cost effective way to insure yourself against liability, dollars expended toward education, in my opinion, are proactive rather than reactive...We must maintain our facilities and the staffing necessary to accomplish this task. I believe it to be sound fiscal management to assess part of this expense to those who are using the service, and I see no immediate issue in the municipal court remittance level increasing from \$2 to \$4 if required to do so."

Chief Vernon (Sonny) Ralston, St. John Police Department... "I feel that the Legislature was very wise when they approved the docket fees as funding for the KLETTC knowing that the people violating the law would be the ones paying for the excellent training that our officers receive from the KLETTC. The sunset provision fee found in K.S.A. 20-362(e) must be repealed to allow KLETTC to retain the \$9.00. I am very supportive in the increase of the municipal docket fee from \$2.00 to \$4.00 which would continue to provide the KLETTC with quality instructors, programs and up-to-date equipment that is necessary to properly train our officers in this state."

Chief George F. Capps, Park City Police Department... "I would like to say that I strongly support that the violators of the criminal and traffic laws continue to fund KLETTC's mission...I fully support all efforts to repeal the sunset provision found in K.S.A. 20-362(e) in order to maintain the current level of funding. Also, in order to ensure the future of the Kansas Law Enforcement Training Center I support the initiative to increase the municipal docket fee from \$2 to \$4 effective July 1, 2002...To shortchange the training academy or place the burden of funding on the state general fund is, in my opinion, not an option."

Sheriff Richard W. Barta, Shawnee County Sheriff's Department... "the law enforcement community counts on KLETTC a great deal. To accomplish the lofty goal of improving law enforcement to appropriate levels, (KLETTC) funding must be created and even accelerated. I support the repeal of KSA 20-362(e) (sunset provision) and increasing the (municipal court docket fee) funding from KSA 12-4117(a) to meet KLETTC immediate future needs."

Sheriff Buck Causey, Barton County Sheriff's Office... "As Sheriff of Barton County, I have a great interest and have been tracking the funding issues for the Kansas Law Enforcement Training Center...As Sheriff, I am a strong supporter of continuing the District Court docket fee and increasing the Municipal Court docket fee. Like everything in our society, the operation (costs) of KLETTC continue to rise...The violators of Kansas laws should continue to help support KLETTC...September 11, 2001 was a huge reminder of the importance of well-trained law enforcement officers and emergency personnel."

Sheriff Troy M. Thomson, Norton County Sheriff's Department... "I am supportive of two actions that need to be taken, not only to maintain, but to increase the quality of law enforcement that is demanded from the citizens that we serve...The first would be to repeal the sunset provision found at K.S.A. 20-362(e). The second is to increase the municipal docket fee remittance level found at K.S.A. 12-4117(a) from \$2 to \$4...We in Kansas should be thankful to have the high quality of training that is being offered at our training academies throughout our state, but the only way to maintain this level of training is to fund the academies at a level in which they can operate."

Sheriff Roger L. Mongeau, Rooks County Sheriff's Office...*"The Rooks County Sheriff's Department strongly supports the continued court docket fee which helps fund the KLETC. Without this funding, the Training Center would not be able to provide the outstanding training that our officers need in order to provide the citizens of our county with the high level of service which they expect. It is imperative that this funding be continued...I would like to offer you my continued support of KLETC and its training programs and funding."*

Sheriff Loren W. Youngers, Morton County Sheriff's Department...*"I am in support of the needed funding that you will attempt to obtain through the increase in court docket fees...The docket fee is a viable way to fund such an endeavor without burdening what already stretched tax base."*

Sheriff Sandy Horton, Crawford County Sheriff's Department...*"In regards to the critical issue of KLETC funding—as you know, it is imperative that we maintain our current level of quality training as provided by you and your staff at KLETC. And quite frankly, if that means an increase in the Municipal Court docket fee and repealing the sunset provision for the District Court docket fee, then I strongly feel it should be done."*

Sheriff Donald L. Wilson, Lane County Sheriff's Office...*"I feel that the Kansas Law Enforcement Training Center is committed to providing Kansas Law Enforcement Officers high quality training as well as ensuring that the training be cost efficient. In an effort to show my support, I am requesting that the Kansas Law Enforcement Training (Center) be allowed to retain the current \$9.00 remittance fee from the district court and that the municipal court docket fee be increased from \$2.00 to \$4.00 effective 07/01/2002."*

Sheriff Ken Lippert, Osage County Sheriff's Office...*"The present municipal docket fees only cover about 24% of the cost of training Kansas law enforcement officers. It would only seem fair that the municipal docket fees should be raised to cover more of the cost of training the officers sent for training by the cities of our state...We are asking that the municipal court fee of \$2.00 be raised to \$4.00 to cover the increase in expenses incurred in law enforcement training."*

John R. Fletcher, Russell County Sheriff's Office...*"I am in full support for the continuing use of the \$9 docket fee for the KLETC...I am in full support of the repealing of the sunset clause and the increase of the Municipal docket fee. As a graduate of the KLETC and having sent numerous officers through the KLETC, I feel the training that is received has helped to improve the professional nature of the State of Kansas law enforcement and hope to see more good improvements to make Kansas a safer place to live and work."*

Sheriff John L. Foster, Johnson County Sheriff's Office...*"No adequate training program can be undertaken at any level of government unless it is properly funded...It is time for the funding process to be reexamined. It must be understood that the cost of training in law enforcement is no different than the cost of doing business in any other endeavor. It is reasonable to accept that the cost concerning personnel, technology, etc. will increase and therefore, we should look at the docket fee system and increase those fees appropriately."*

Sheriff Gary E. Steed, Sedgwick County Sheriff's Department...*"Sufficient KLETC funding is critical to our healthy law enforcement in Kansas and the high quality of service provided to our communities...These are challenging times for our society as a whole and law enforcement agencies in particular...The Kansas Law Enforcement Training Center is a critical component to providing law enforcement officers in Kansas with the knowledge and support necessary for the safety and security of our communities."*

Sheriff Vernon Chinn, Pratt County Sheriff's Office...*"I strongly support the current \$9.00 docket fee funding for KLETC. Training cannot be sacrificed in the name of economics. Considering that violators of the criminal and traffic laws pay for law enforcement training, this is a fair way to fund KLETC...Increasing demands are being put on law enforcement. Law enforcement is also facing increasing liability issues."*

Sheriff Glen Kochanowski, Saline County Sheriff's Office...*"If KLETC is to continue functioning at its current level or improve, I believe the \$9.00 District Court docket fee has to remain unchanged, repeal the sunset provision provided in K.S.A. 20-362(e) and increase the municipal court docket fee as found in K.S.A. 12-4117(a)(2) from \$2.00 to \$4.00 per case...KLETC is a vital link in the law enforcement chain in Kansas. Without proper funding, KLETC curbs its ability to provide quality training and the citizens of our state are denied the quality of law enforcement protection they deserve."*

Sheriff Bethany F. Popejoy, Hamilton County Sheriff's Office...*"As a state-wide training facility, KLETC is challenged to train officers who hail from departments of all sizes and technological levels...The utilization of the docket fee is an innovative and unique funding resource for KLETC that should be renewed to continue throughout its existence...This increase would not impose a significant hardship to any group of individuals; however, the benefits would significantly enhance the outstanding services that KLETC already provides to the law enforcement community and the State of Kansas...I sincerely support the care and attention that you and your staff dedicate to the law enforcement community, as well as the services you have continually provided that shape the future of law enforcement within the State of Kansas."*

Sheriff Lamar Shoemaker, Brown County Sheriff's Department...*"I strongly support the municipal court docket charge of \$4.00 to assist in funding. Speaking as a past chief of police and now sheriff, I have worked with both court systems and believe this measure will "close the gap" on funding between district and municipal court."*

Sheriff Curt Bennett, Dickinson County Sheriff's Office...*"The current funding needed to pay these costs is not adequate and needs to be amended now...I wish to offer my thanks to the staff at KLETC for all the training given to my deputies that serve Dickinson County. Thank you for your top notch training and good luck at the academy. Be assured of my support for KLETC and your staff."*

Statement of Janet J. Harrington, Elk County Sheriff's Office... "I support KLETC in the efforts to ask that the district court sunset provision found at KSA 20-362(e) be repealed. Also, the municipal court docket fees should also allow KLETC to collect \$4.00, instead of \$2.00. Since KLETC trains more municipal officers than it does county deputies, then it seems only right that the municipal courts have their fees raised to assist KLETC in the funding to train their officers...To enable our law enforcement officers in Kansas to provide the best protection to our citizens, we, as a state and as law enforcement administrators must see that the needed training is provided. I support the Kansas Law Enforcement Training Center and the Kansas Law Enforcement Training Commission."

Director Larry Welch, Kansas Bureau of Investigation... "Training is the cornerstone of professionalism and professionalism is the foundation of our criminal justice system. We have no other option. For the fiscal stability of Kansas law enforcement training, it is vital that the Kansas law enforcement community seek repeal of the district court docket fee sunset provision and the increase of the municipal court docket fee remittance level from \$2.00 to \$4.00."

Superintendent Don Brownlee, Kansas Highway Patrol... "High-quality training is an essential component of effective law enforcement. Meeting that challenge requires sufficient and adequate funding to keep training on the cutting edge of law enforcement...In order to provide this professional training, we must adequately fund basic law enforcement officer training. Funding for the Kansas Law Enforcement Training Center (KLETC) is, fittingly, not paid out of tax funds but funded solely through court costs paid by traffic and criminal offenders. With the increase in the minimum training curriculum, the state must explore avenues to provide additional funding for basic law enforcement training...I appreciate the hard work that you (KLETC) have put into delivering professional law enforcement officers who are responsive to the needs of their communities and to the citizens of Kansas."

Chief Charles Clark, Shawnee Police Department... "It is critical that KLETC receive adequate funding to fulfill its legislatively mandated mission ... The district court sunset provision found at KSA 20-362(e) must be repealed, allowing KLETC to retain the current \$9 remittance level. I also support the plan to increase the municipal court remittance level from \$2 to \$4. Passing these costs along to violators across the state seems to be an intelligent way to provide basic training to our police officers."

Chief John Douglass, Overland Park Police Department, and President, Kansas Association of Chiefs of Police... "The Kansas Association of Chiefs of Police voted unanimously as a Board, and again as a General Membership to support the Kansas Law Enforcement Training Center in the following efforts: Repeal the district court sunset provision as provided for in KSA 20-362(e) and leave the district court docket fee remittance level at \$9; and increase the municipal court docket fee remittance level as provided for in 12-4117(a) from \$2 to \$4, effective 7/1/02. The Kansas Association of Chiefs of Police strongly urges the Kansas Legislature to support the above efforts and to allow the Kansas Law Enforcement Training Center to continue to provide contemporary and timely training to Kansas law enforcement."

Kevan Lager, President, Kansas State Lodge Chapter of the Fraternal Order of Police... "The Kansas Fraternal Order of Police is an organization that represents over 2,500 rank and file officers in uniform and believes only the best should be provided for professional law enforcement. It is for this reason, and without reservation, the Kansas Fraternal Order of Police supports the Director of the KLETC and his request for an increase in funding. Any and all assistance should be granted to aid in his successful operation of the KLETC."

Darrell Wilson, Executive Director, Kansas Sheriffs' Association... "The Kansas Sheriffs' Association (KSA) supports KLETC's funding initiatives, specifically to repeal the district court docket fee sunset provision and to increase the municipal court docket fee remittance from \$2 to \$4. Adequate funding is critical to the Center's ability to provide quality, comprehensive training and support to the Kansas law enforcement community."

Al Thimmesch, Executive Director, Kansas Peace Officers' Association... "KLETC provides high quality, essential training to law enforcement officers throughout the state. In addition to basic training, KLETC provides critical and timely continuing education. When terrorists struck New York, KLETC had already been providing training to law enforcement as first responders to weapons of mass destruction. Since the attacks, KLETC increased the number of classes available for response to terrorism. Without the elimination of the sunset provision in the district courts and an additional \$2 remission from the municipal courts, KLETC's ability to provide basic and continuing training to the law enforcement officers of the state will be in jeopardy. The Kansas Peace Officers' Association (KPOA) strongly supports KLETC in its request for additional funding."

Kansas Law Enforcement Training Commission, through resolution, adopted on October 5, 2001....

WHEREAS, the district court sunset provision found at KSA 20-362(e) takes effect July 1, 2002, reducing the remittance level from \$9 to \$8; and

WHEREAS, if the district court sunset provision were allowed to take effect, the Kansas Law Enforcement Training Center would face \$200,000 annually in lost revenue; and

WHEREAS, even with the district court sunset provision repealed, the Kansas Law Enforcement Training Center will only be able to operate through Fiscal Year 2003 without additional funding; now therefore

BE IT RESOLVED that the Kansas Law Enforcement Training Commission urges the Kansas Legislature to repeal the district court sunset provision found at KSA 20-362(e), leaving the district court docket fee remittance level at \$9; and

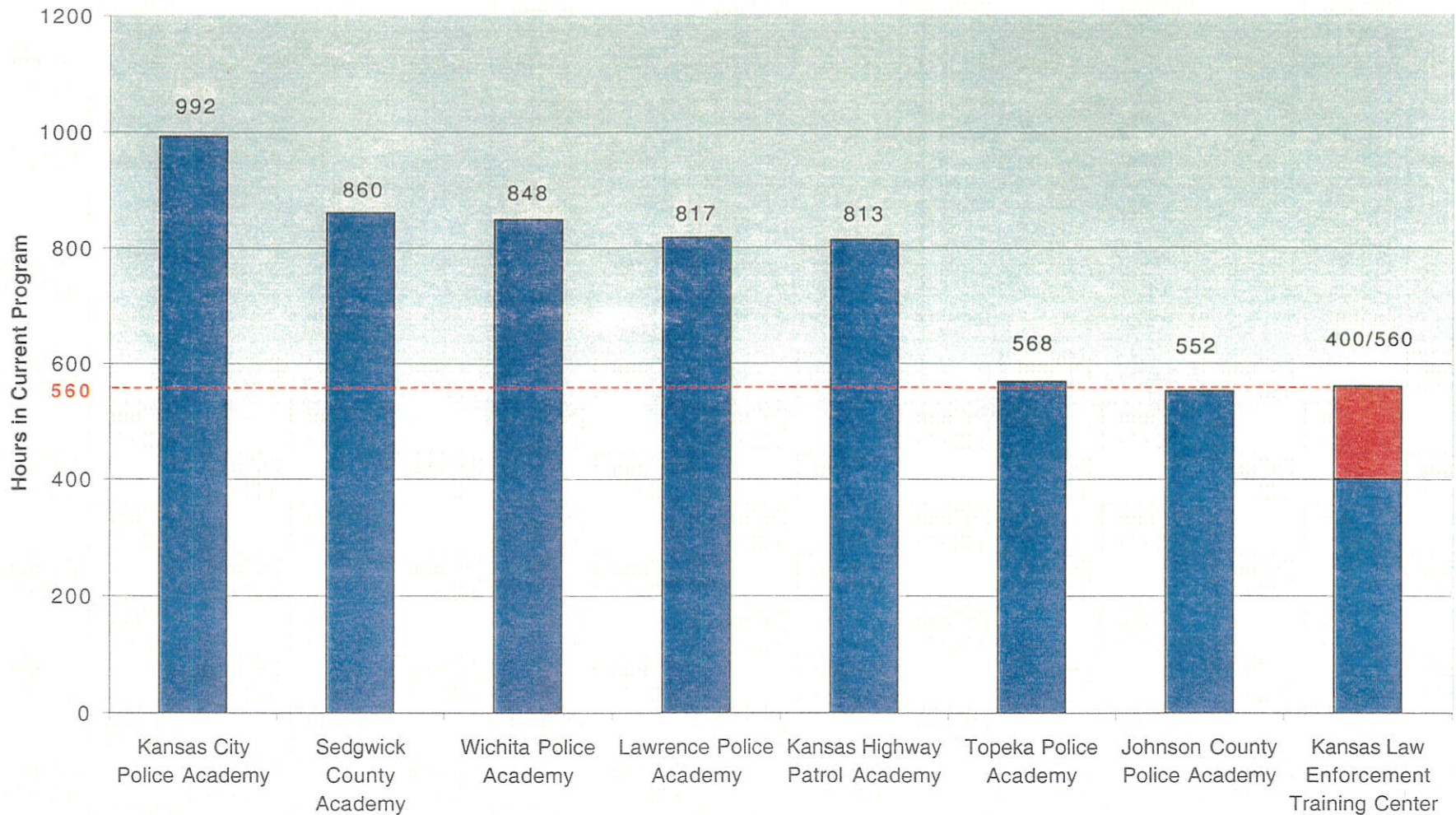
BE IT FURTHER RESOLVED that the Kansas Law Enforcement Training Commission urges the Kansas Legislature to increase the municipal court docket fee remittance level as set by KSA 12-4117(a)(2) from \$2 to \$4, effective July 1, 2002.

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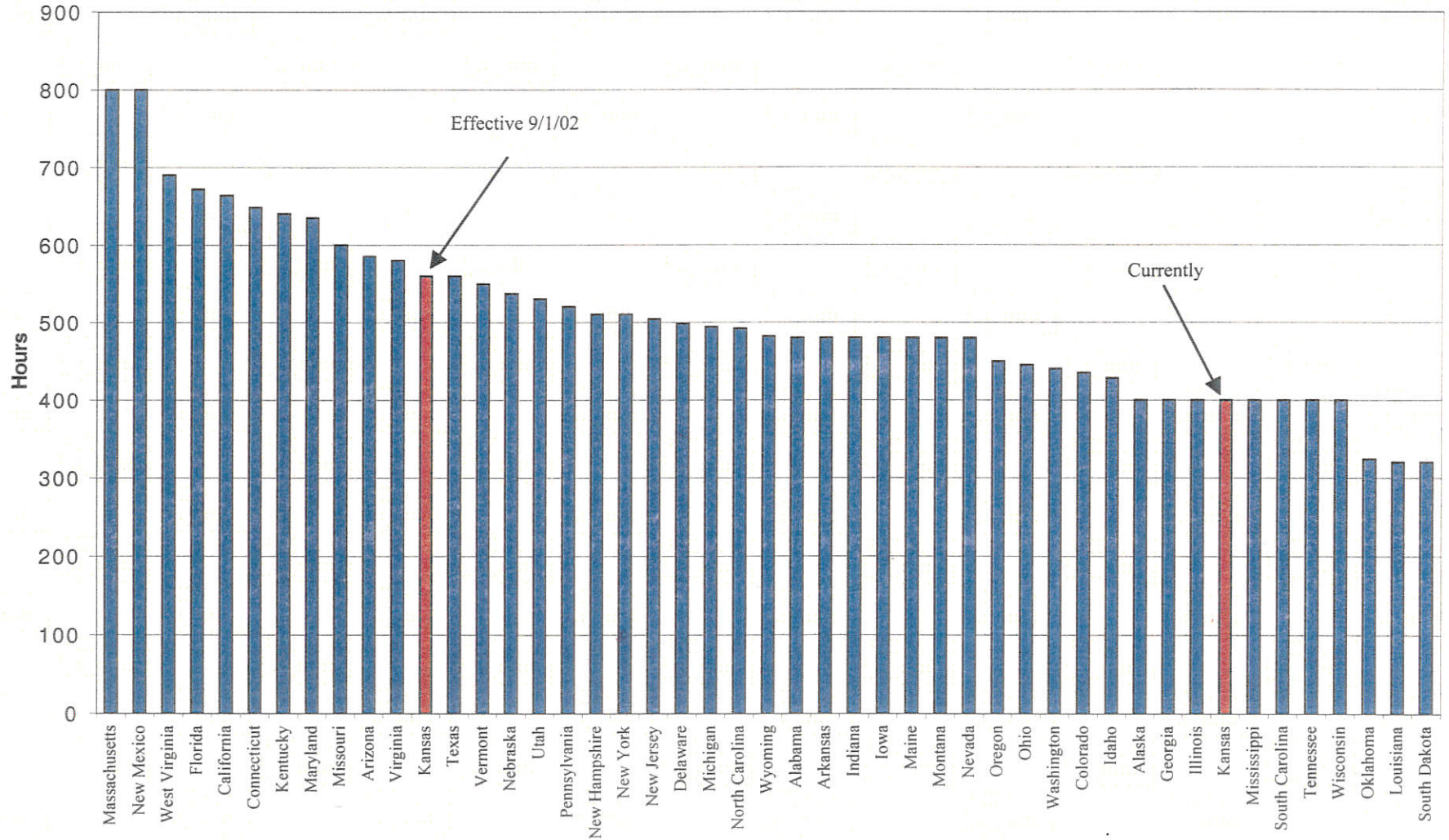
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Kansas Law Enforcement Basic Curriculum Hours

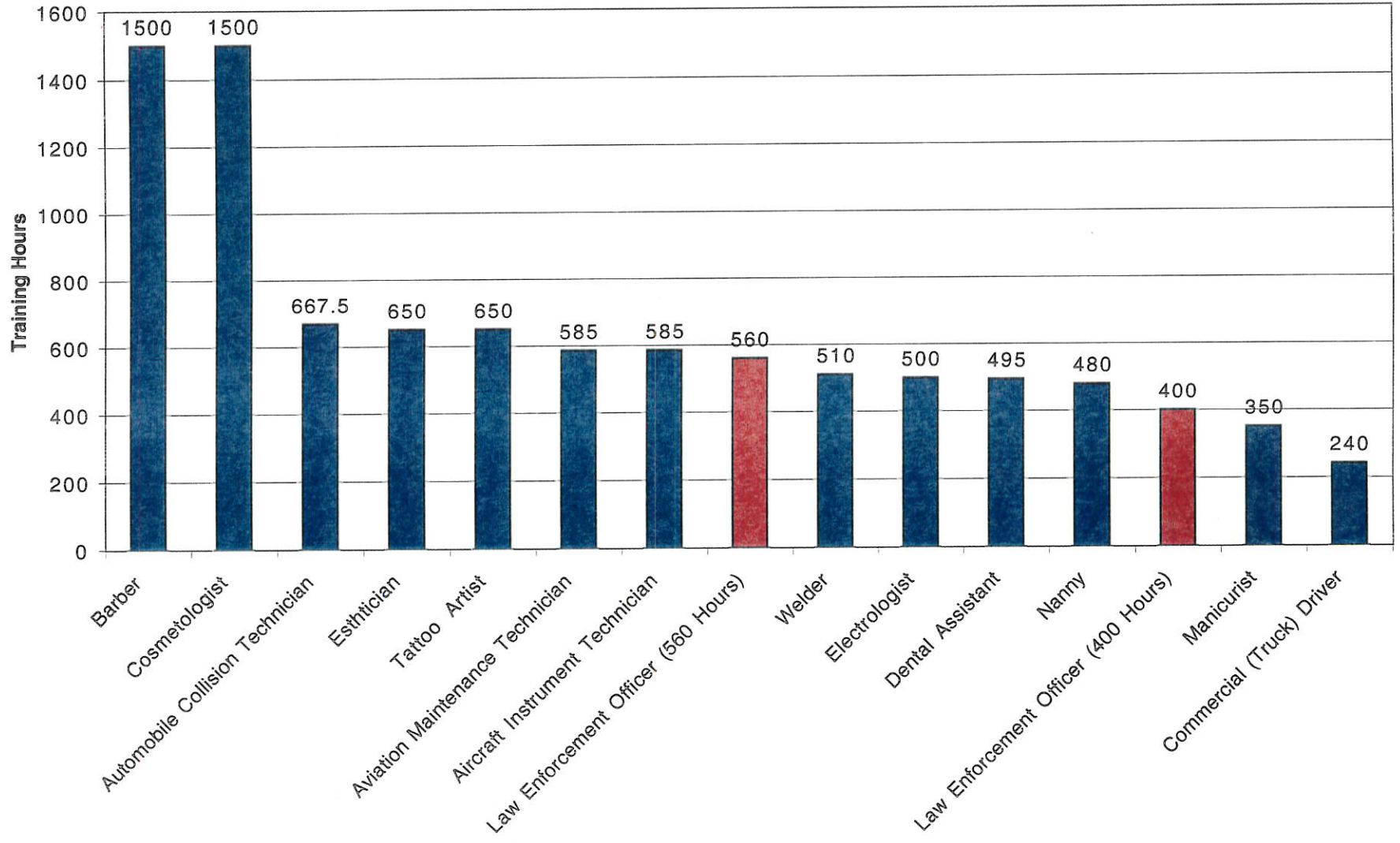
KLETTC/Certified Satellite Academy Providers Comparison



Minimum Required Basic Training Hours (Source: IADLEST Sourcebook 2000)



Training Hours by Occupation



The University of Kansas
Kansas Law Enforcement Training Center
Hutchinson, Kansas

Increasing the Basic Training Program from 400 to 560 Hours: Why the Change?

As society calls upon law enforcement to solve increasingly complicated problems, the training required to address those problems must adapt to provide officers the complex tools necessary. The traditional role of peacekeeper through force has given way to the concepts of community policing where peace is kept through mediation, relationship building, and counseling. Additionally, investigations that were once limited to interviewing witnesses and finding key evidence are now employing cutting edge forensic technology. Moreover, new challenges such as hate bias crimes, racial profiling, and domestic terrorism arise daily. The increased demands society places upon law enforcement officers is evident not only in the field but also in the courtroom. Law enforcement officers must perform these complex and changing duties in a society that is increasingly concerned about the civil rights of those suspected of criminal activity, and organizations responsible for training officers must do so with a court system that is increasingly willing to find liability for inadequate training.

To assess the changing training needs, the Kansas Law Enforcement Training Center performed the most comprehensive task analysis survey ever conducted in Kansas. KLETC employed a nationally recognized expert in basic training curriculum assessment to survey patrol officers and their direct supervisors. The support from Kansas' law enforcement community was tremendous. One thousand one hundred fifty-two (1152) officers representing 207 agencies of all sizes and geographic locations participated. The survey participants rated various tasks with regard to frequency of performance and criticality of training. From these completed surveys and a review of the existing basic training curriculum, the consultant identified nearly 200 general learning objectives not being addressed. Once these learning objectives were identified, the staff of KLETC began the difficult and time-consuming process of developing lesson plans that expand the existing curriculum to include these identified areas of deficiency.

The result is a curriculum that reflects the changed role of law enforcement officers. In the new basic training program, officers will be given 22 additional hours of instruction regarding legal issues, 18 additional hours of instruction regarding patrol procedures, 33 additional hours addressing investigative skills, 12 additional hours of training for communication skills and report writing, 30 additional hours of training in motor vehicle law enforcement, 26 additional hours in defensive tactics training, 8 additional hours of firearms training, and 10 additional hours of emergency vehicle operations training. Consistent with current adult education theories, the curriculum utilizes hands-on, practical applications whenever possible to augment classroom lectures. Practical application is undoubtedly the best method for training officers, but it is also the most expensive in terms of time and staff resources.

The new curriculum balances the needs of additional training as identified in the task analysis survey against reasonable time constraints to maximize the quality of the training while minimizing the burden on local law enforcement agencies. The result is a basic training program that is better able to provide law enforcement officers with the knowledge and problem-solving skills necessary to protect and serve an increasingly complex society.



KANSAS LAW ENFORCEMENT TRAINING COMMISSION

RESOLUTION IN SUPPORT OF INCREASED TRAINING HOURS

WHEREAS, during 2000 and into 2001, the Kansas Law Enforcement Training Center conducted Kansas' largest and most comprehensive law enforcement task analysis study in order to validate its basic training curriculum; and

WHEREAS, 1152 officers representing 207 agencies of all sizes and geographic locations throughout Kansas were surveyed as part of the task analysis study, and

WHEREAS, law enforcement agencies completed and returned ninety-six percent of the surveys sent, a percentage far greater than any other state that has undertaken such a project with the same nationally-recognized consultant, thus enhancing the validity of the study, and

WHEREAS, the study identified learning objectives based upon the frequency of task performance and criticality of training as determined by entry-level law enforcement officers and supervisors throughout the state,

WHEREAS, the task analysis study identified nearly 1300 learning objectives as necessary for a basic training curriculum, 600 of which are not being addressed in the current curriculum; and

WHEREAS, KSA 74-5604a sets the requirement for law enforcement basic training at "not less than 320 hours;" and

WHEREAS, KSA 74-5603(b) gives the Director of the Kansas Law Enforcement Training Center the authority to determine "the curriculum of the [basic training] program, subject to such changes and modification as are directed by the law enforcement training commission;" now therefore

BE IT RESOLVED that the Kansas Law Enforcement Training Commission has determined that the number of basic training hours must be increased to encompass a new basic training curriculum as developed by the Director of the Kansas Law Enforcement Training Center; and

BE IT FURTHER RESOLVED that the Kansas Law Enforcement Training Commission acting pursuant to the authority granted in KSA 74-5603(b) hereby approves, authorizes, and requires 560 hours as the minimum number of hours required for full-time law enforcement basic training in Kansas for all classes beginning after September 1, 2002.

BE IT FINALLY RESOLVED that the Kansas Law Enforcement Training Commission expressly approves the curriculum developed by the Director of the Kansas Law Enforcement Training Center.

APPROVED this 5th day of October, 2001 by the Kansas Law Enforcement Training Commission at an open meeting whose date, time and location were published in the Kansas Register.

THE KANSAS LAW ENFORCEMENT
TRAINING COMMISSION

Darrell Wilson, Chairperson

***KANSAS PEACE OFFICERS ASSOCIATION
AND
KANSAS SHERIFFS' ASSOCIATION***

House Bill 2802

Funding issues for Kansas Law Enforcement Training Center

Presented by: Chief Frank Denning, City of Roeland Park, Kansas

The role that law enforcement plays in the State of Kansas has changed. These changes were occurring before September 11, 2001 and change will continue. KLETC and Kansas Law Enforcement Administrators have recognized these changes and almost all agree that education and comprehensive training are part of the solution. Meeting these demands now and for the future of a safe Kansas requires funding to maintain the expanded training needs for Kansas Police Officers.

The proposed funding increases will ensure only the best for Kansas. Kansans deserve the best. In Kansas, as across our country law enforcement is called to be more vigilant and on heightened alert. I ask you to consider the relative comparisons shown to you by Director Pavey a couple of minutes ago. Does it look to you like Kansans are getting the best? Will you feel more secure with this program upgrade, or without it? The answer, I think, is right there before you. Citizens around this Great State should expect knowledgeable and

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professional police response and service. If they live in Scott City, Kansas or Overland Park, Kansas people should have quality trained individuals capable of making the complex decisions required of today's police personnel. Anything less than that are unacceptable.

The Director of KLETC has clearly demonstrated to everyone concerned about fiscal responsibility that no funding requests would be made if there were not needs. The "users" of the criminal justice system fund this. KLETC is responsible to establish this critical underpinning of additional police training and the legislative governing body is accountable to their constituency to support the needed funding in the manner it is proposed.

It has been said that cities will be adversely affected by this funding increase because officers will have to train longer. The additional training amounts to twenty days! What is the price we are willing to pay for inadequate training? What do we tell the Kansas Citizen that they have to accept less than the best?

The challenges and the needs are evident. Please demonstrate the courage that KLETC has, move forward for Kansas Law Enforcement, and approve the requested funding. It is the right and responsible thing to do.

I stand for questions.

**Judiciary Committee
Room 123 South
March 25, 2002, 9:30 a.m.
Legislative Testimony
HB 2802**

I want to thank you for allowing me to testify on behalf of House Bill 2802. My name is Joe Palacios, City Manager of Hutchinson, Kansas since 1989 and I have been in municipal service for 32 years.

Throughout this time I have noticed the following:

1. Law enforcement profession has increasingly been call to resolve complicated societal issues. The law enforcement officer wears many hats - from enforcement officer, to coach, and many times a referee through mediation means.
2. Also, the law enforcement officer must keep pace with modern technology and computer age criminal activities.
3. Finally, the law officer must be concerned about the newest responsibility of addressing homeland security issues in a viewpoint that we have not been accustom to in America.

These issues and basic law enforcement skills require training that all law enforcement officials need on a continuous basis. Training needs to up updated on a frequent basis to meet the challenges in our communities. Specifically, the training curriculum must be changed to reflect the changing and expanding role of our law enforcement officers.

It is paramount that such needs are met. It is paramount that the state's central training facility, the Kansas Law Enforcement Training Center (KLETC), has adequate funding to fulfill it's mandated mission. It is paramount that sufficient law enforcement training is available for our Kansas cities and counties.

The passage of House Bill 2802 allows cities and counties to meet their local needs and new challenges that American communities are facing. Collaboration is important with state agencies such as KLETC. Networking is important as well as establishing common training curriculums for our law enforcement community. It is important to confront the challenges with the training tools necessary to fulfill the public safety mission of our communities.

The City of Hutchinson and I support the district court docket fee of the \$1 sunset proposal be extended.

The City of Hutchinson and I support the additional \$2 increase proposal in municipal court docket fees to support the KLETC operations (effective 07-01-02).

Joe J. Palacios, City Manager
PO Box 1567: City Hall
Hutchinson, KS 67502
Phone: (620) 694-2610
e-mail: joep@hutchgov.com

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GREAT BEND POLICE DEPARTMENT

1217 WILLIAMS
GREAT BEND, KANSAS 67530
www.greatbendks.net



(620) 793-4120

Testimony for House Bill No. 2802

Chairman Vratil Members of the Senate Judiciary Committee, My name is Dean Akings, Police Chief for the City of Great Bend. I am here to give support to House Bill No. 2802. As a Department Head for the City of Great Bend, I understand the ever-increasing problem of running a department with increasing expenditures and revenues that are not able to keep up.

Great Bend Police Officers are the seven out of every ten Kansas officers trained by the Kansas Law Enforcement Training Center. We depend upon the Kansas Law Enforcement Training Center to provide the most up-to-date law enforcement basic training and continuing education for our officers. The City of Great Bend pays only mileage and a salary to our officers who attend KLETC. The City of Great Bend has not the revenue nor the expertise to run a law enforcement training center and we wish to commend the Kansas Law Enforcement Training Center for the outstanding job they do in training our public servants. The Great Bend Police Department participated in the KLETC 2001 Law Enforcement Officer Job Task Analysis Study. In a nutshell, the studies showed we need to increase the 400 hour academy to 560 hours to cover the learn objectives that correlate with the tasks identified in the study. Our agency experiences the problems that other departments find themselves in trying to find and retain certified police officers. The academy is training an average of 400 officers a year which shows the turnover experienced in the law enforcement profession in Kansas.

KLETC just recently completed a fifteen-year phased construction and renovation master plan. KLETC now has several new buildings on line and annual operating costs continue to rise. Salaries, benefits, utilities, contractual services such as cleaning, food service, security, laundry all continue to increase. KLETC has provided interactive distance learning to 33 sites across Kansas. It has been necessary for KLETC to increase its class size from 56 to 84 student officers to meet the demand for basic training. Our officers are trained in judgmental, decision/making skills on the academy's F.A.T.S. machine. Our officers also receive hands-on drivers training in emergency and pursuit driving skills.

The legislature has previously determined that the court docket fees is a mechanism to be used for funding KLETC; that KLETC is operating today on fee levels set in 1992 for municipal court and 1994 for district court. Those revenues generated are not sufficient at this time.

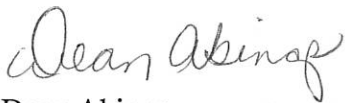
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Over 50% of the officers trained at KLETC are from municipal police agencies, yet municipal court docket fee revenue only accounts for about 24% of KLETC's annual revenue. The \$2.00 increase would provide a projected \$570,000 annually.

I would support the increase in municipal court docket fees. Municipal courts must contribute these docket fees for the benefit of everyone in our state. Every jurisdiction needs to have quality trained law enforcement officers. Senior citizens account for 18.6% of Great Bend's population and the majority of them are on fixed incomes. Additional taxing at the state or local level for law enforcement training would have a severe impact. It makes sense that those who violate the law pay for law enforcement training in Kansas. It's a user - fee. Our department currently has four officers attending the 169th Basic Training Class. By adding an additional \$2.00 to the municipal court docket fee will ensure that our officers receive the necessary training for their protection and for the protection of our community.

We owe it to our officers to provide the best training possible, we owe it to our citizens a feeling of security and protection. House Bill No. 2802 would help law enforcement accomplish this mission.

Thank you for allowing me the opportunity to express my views. Your support of House Bill No. 2802 would greatly be appreciated.



Dean Akings
Chief of Police
Great Bend, KS 67530

Senate Bill #2802

Chief John M. Douglass
Overland Park Police Department
12400 Foster
Overland Park, KS 66213
(913) 327-6935

Mr. Chairman and Members of the Judiciary Committee:

Thank you for providing me the opportunity to testify before this Committee on a piece of pending and important legislation, Senate Bill #2802.

I am here today representing the Kansas Association of Chiefs of Police, Johnson County Police Association, the City of Overland Park, and the Overland Park Police Department in support of this Bill. Each of the organizations that I represent strongly believes the training of local law enforcement officers is of paramount importance to the safety of the officer and the communities they serve. The \$2.00 addition to municipal court costs is both necessary and keeping with the increased costs incurred in training. As costs become inflated over time, it eventually becomes necessary to raise fees to accomplish the same level of training. This Bill would provide such revenue for the Kansas Law Enforcement Training Center.

Please understand that the Johnson County agencies are clearly in support of this Bill, in spite of the fact that the increase will not directly affect those agencies. The Johnson County Regional Academy provides training for those organizations and would see no increased revenue from this Bill. You might be tempted to wonder why then we are in such strong support. The truth is that for once the people and organizations of Kansas are acting more in support of what is good for the entire state than what is good regionally. We all recognize that this money is sorely needed if we are to continue providing quality law enforcement training for the majority of the state's law enforcement officers.

This money will be used to continue the excellent education received by these officers through the Kansas Law Enforcement Training Center. In adopting this legislation you are providing these officers with the training necessary to do their jobs effectively, serve their communities efficiently, and return home safely every day to their families. We strongly urge passage of this Bill.

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Testimony of Sheriff John Foster
Representing the Johnson County Sheriff's Office
and the Kansas State Sheriff's Association
In support of HB 2802 Senate Judiciary

Mr. Chairman and Members of the Committee:

My name is John Foster, Johnson County Sheriff and Chair of the Kansas Sheriff's Association Legislative Committee. We strongly support HB2802.

High quality law enforcement training is an investment in high quality service to the citizens of Kansas. Law enforcement is a study of the dynamics of change. These changes are initiated by the process of action, by legislative activity, judicial decision, or improved methodology.

The beneficiaries are not only the citizens but the various political subdivisions of the state of Kansas. Law enforcement organizations are charged with the protection of public assets and quality training is a vehicle to that end. When legal action is initiated against police departments or Sheriff's offices or any other law enforcement organizations in the state, one of the first documents requested by plaintiff's attorney, will be the training record or records of the officer or officers involved in any legal action. Quality training is one of the best defenses that any political subdivision has. You have heard or will hear opponents of this legislation saying it is too costly and they cannot afford it. The fact is, it does not cost, it pays!

This legislation is a win - win situation, there are no losers. The citizens are better served, the political subdivisions are better protected and all of this can be done without raising taxes. If this isn't a good deal, I don't know what is.

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League of Kansas Municipalities

TO: Senate Judiciary Committee
FROM: Sandra Jacquot, Director of Law/Legal Counsel
DATE: March 25, 2002
RE: Opposition to HB 2802

Thank you for the opportunity to appear today on behalf of the League of Kansas Municipalities in opposition to HB 2802. Please also find attached to my testimony a list of cities that are specifically opposed to this legislation. The portion of the bill of interest to the League would increase the municipal court docket fee remittance to various programs by \$2.00, from \$7.00 to \$9.00. The purpose of the fee increase is to fund an increase in the required training hours for law enforcement certification from the current 400 hours to 560 hours. This would bring to \$4.00 the amount of the fee that goes to the Kansas Law Enforcement Training Center (KLETC). The League opposes this change.

Currently, our largest municipalities have their own training academies that exceed the required KLETC training hours. Several other municipalities pay to have their officers attend one of the municipal academies. Agencies operating their own training academies receive a total of \$.50 for each \$2.00 sent to KLETC to help defray the cost, but the city bears the majority of the cost. None of the additional \$2.00 proposed to be collected for KLETC would go to the municipalities operating academies. The result of this additional assessment is that the municipal courts generating the bulk of the fees to support KLETC do not receive the benefit. Municipal court fines are substantially the result of traffic violations. Thus, those individuals violating the traffic laws in the large municipalities will be paying the freight to train law enforcement officers from other cities. At least one of the largest cities in Kansas operating its own training academy is considering disbanding that program and sending its 50 or more recruits per year to the KLETC, then providing additional specialized training in-house.

The second concern for the League is that many of our smaller municipalities cannot afford to pay for their recruits to attend an additional month of training without having the services of the officers. It is currently a hardship for some municipalities to have recruits gone for 10 weeks, much less 14 weeks. The proposed increase in the fee is the direct result of KLETC increasing the number of hours required for an individual to become a certified law enforcement officer. K.S.A. 74-5604a specifies that the training not be less than 320 hours and K.S.A. 74-5603(b) allows the director of KLETC to determine the curriculum. Thus, the director believes it is not necessary to establish the number of hours constituting the basic training program by rules and regulations which would allow for public comment, or by statutory amendment which would require a

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hearing, but by merely informing cities of the new requirements. Even the Law Enforcement Training Commission believes that the appropriate method to set the minimum number of hours should be through statutory amendment. (See the attached Resolution in Support of Increased Training Hours) It is clear, that the Legislature expressed its intent on the number of training hours by statute and the KLETC should not be allowed to circumvent that intent by merely adopting a policy. This is a substantial unfunded mandate on Kansas cities.

The League strongly urges this Committee to report this bill unfavorably. In addition, the League believes the Legislature should look at the grant of authority to the KLETC to unilaterally implement a policy to increase the number of training hours. Thank you again for allowing me to testify on behalf of the League of Kansas Municipalities in opposition to HB 2802.

The following cities are members of the League Governing Body and have voted to oppose HB 2802:

Abilene
Arkansas City
Beloit
Burlington
Colby
Hillsboro
Hoisington
Lenexa
McPherson
Olathe
Osage City
Ottawa
Rose Hill
Scott City
Topeka
Unified Government Wyandotte Co./Kansas City
Wichita



KANSAS LAW ENFORCEMENT TRAINING COMMISSION

RESOLUTION IN SUPPORT OF INCREASED TRAINING HOURS

WHEREAS, during 2000 and into 2001, the Kansas Law Enforcement Training Center conducted Kansas' largest and most comprehensive law enforcement task analysis study in order to validate its basic training curriculum; and

WHEREAS, 1152 officers representing 207 agencies of all sizes and geographic locations throughout Kansas were surveyed as part of the task analysis study, and

WHEREAS, law enforcement agencies completed and returned ninety-six percent of the surveys sent, a percentage far greater than any other state that has undertaken such a project with the same nationally-recognized consultant, thus enhancing the validity of the study, and

WHEREAS, the study identified learning objectives based upon the frequency of task performance and criticality of training as determined by entry-level law enforcement officers and supervisors throughout the state,

WHEREAS, the task analysis study identified nearly 960 general learning objectives as necessary for a basic training curriculum, nearly 200 of which are not being addressed in the current curriculum; and

WHEREAS, KSA 74-5604a sets the requirement for law enforcement basic training at "not less than 320 hours;" and

WHEREAS, KSA 74-5603(b) gives the Director of the Kansas Law Enforcement Training Center the authority to determine "the curriculum of the [basic training] program, subject to such changes and modification as are directed by the law enforcement training commission;" now therefore

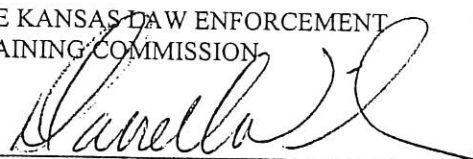
BE IT RESOLVED that the Kansas Law Enforcement Training Commission has determined that the number of basic training hours must be increased to encompass a new basic training curriculum as developed by the Director of the Kansas Law Enforcement Training Center; and

BE IT FURTHER RESOLVED that the legislature expressed its intent regarding the number of basic training hours required to certify a law enforcement officer and the appropriate method for expanding the curriculum beyond the current level is through statutory amendment; and

BE IT FINALLY RESOLVED that the Kansas Law Enforcement Training Commission urges the Kansas Legislature to amend KSA 74-5604a to set the basic training program at "not less than 560 hours" for all classes beginning after September 1, 2002.

APPROVED this 5th day of October, 2001 by the Kansas Law Enforcement Training Commission at an open meeting whose date, time and location were published in the Kansas Register.

THE KANSAS LAW ENFORCEMENT
TRAINING COMMISSION



Darrell Wilson, Chairperson