



Fairway Police Department
Fairway, Kansas
Michael Fleming, Chief of Police



Testimony to Senate Ways and Means Committee
In Opposition SB403
February 28, 2016

Chairman Ty Masterson and Members of Committee:

My name is Mike Fleming and I am the Chief of Police in Fairway, Kansas. I have been a certified police officer since 1984 and have served with the Fairway Police Department since 1989. I appreciate the opportunity to provide written testimony in opposition to SB403 and believe the bill should not move forward. There are many indirect and intended consequences to consider in the matter.

I oppose the bill as I believe it would adversely impact public safety in Kansas and the efficient operations of Municipal Courts across the State. The City of Fairway, Kansas sits in the Northeast part of Johnson County and has a population of approximately 3,900 residents. The main roadway through the heart of Fairway is Shawnee Mission Parkway (56Hwy) which handles approximately 26,500 cars a day according to the Kansas Department of Transportation. Feeding onto and off Shawnee Mission Parkway are secondary and residential streets, parking lot access to commercial businesses, a church (with a day care), and a business park. The enforcement of traffic and misdemeanor laws on our roadways is very simply for public safety and we must have the tools to accomplish the job because our residents expect it and the State of Kansas expects it. If SB403 were to become law, funding for equipment (police cars, traffic radars, protective vest...), training, and daily operational expenses for police departments across Kansas will be impacted. I am proud to say the City of Fairway has not had a fatality accident on Shawnee Mission Parkway in over five years; a roadway patrolled entirely by the Fairway Police Department. The enforcement of traffic and misdemeanor laws by the Fairway Police Department is absolutely critical to the safety of our residents and the motorists that pass through our City each day; it is not a revenue generating endeavor.



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I believe the efficient operation of any municipal court is only possible by proper funding, a dedicated staff (to include a Prosecutor and Judge), and a judicial system that is fair to everyone. If SB403 were to pass out of Committee and become law two of the four points I mentioned would cease to exist. The burden on the Police Department and Municipal Court staff to process work, track fines, submit reports, and analyze data would have the unintended consequence of harming other city services. The Municipal Court of Fairway, Kansas is committed to the fair and impartial adjudication of cases; SB403 prohibits all defendants from having that right by picking and choosing who must pay court costs. The Municipal Court of the City of Fairway, Kansas is not a self-sustaining entity funded by fines and court costs.

The impact of SB403 to State agencies such as KLETC and CPOST would be devastating to the entire State of Kansas. The provision on page 12, lines 13-16 would cripple these agencies and programs by taking away the tools and equipment needed to do these jobs properly. The training of new law enforcement officers and the continuing education of veteran officers at KLETC are critical to life and equal justice in Kansas. Training and education cannot be compromised; standards exist because our residents demand them and CPOST must have the means to keep our standards high.

I appreciate the opportunity to share my comments with the Committee and please do not hesitate to contact me if I can provide additional information or answers any questions. I can be reached at 913-262-2364 or by e-mail at mfleming@fairwaypd.org.

Respectfully,

A handwritten signature in black ink, appearing to read "Mike Fleming", with a long, sweeping horizontal line extending to the right.

Mike Fleming
Chief of Police
Fairway, Kansas