

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **SB 274**, on page 1, in line 29, after "(b)" by inserting "A law enforcement officer shall record the data required by section 5, and amendments thereto, for any fine imposed pursuant to this section.

(c)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 3, following line 9, by inserting:

"New Sec. 5. (a) The data described in subsection (b) shall be collected on each citation issued for a violation, and each traffic stop for a suspected violation, of K.S.A. 8-2503, and amendments thereto, by a Kansas law enforcement officer shall be sent to the Kansas bureau of investigation.

(b) The data collected on each citation shall include:

(1) Officer identification number;

(2) law enforcement agency code;

(3) time and date of stop;

(4) name of person stopped;

(5) whether the person was a motorist or pedestrian;

(6) gender of person stopped;

(7) age of person stopped;

(8) race of person stopped: (A) African American; (B) Hispanic; (C) American Indian; (D) Caucasian; (E) Asian; (F) person of Middle-Eastern descent; or (G) other, as stated by the person

stopped or by officer observation;

(9) reason for stop: (A) Violation of the criminal code; (B) violation of a county resolution or city ordinance; (C) calls for service; (D) suspect or vehicle description or pre-existing knowledge or information, such as a warrant; (E) citizens assist or welfare; (F) traffic violation such as a moving violation, equipment failure or license plate violation; or (G) other. If a moving violation, the officer shall indicate the specific violation;

(10) result of stop: (A) Citation; (B) warning; (C) arrest; or (D) other;

(11) if the person was arrested, what crime or violation was alleged;

(12) if applicable, the nature of the search conducted on the pedestrian, driver or passenger, or of the vehicle or property;

(13) if applicable, the search authority: (A) By consent; (B) tow inventory; (C) odor of drugs or alcohol; (D) plain view contraband; (E) incidental to arrest; (F) dog alert; (G) search warrant; or (H) other;

(14) if applicable, the type of contraband discovered: (A) Illegal drugs; (B) drug paraphernalia; (C) weapons; (D) alcohol; (E) currency or stolen property; or (F) other;

(15) stop location in agency boundaries, using the specific address of each stop, including street address or highway mile marker, city and county;

(16) duration of stop: (A) Under 5 minutes; (B) 5-9 minutes; (C) 10-19 minutes; (D) 20-29 minutes; (E) 30-39 minutes; (F) 40-49 minutes; (G) 50-59 minutes; or (H) greater than 60 minutes;

(17) vehicle license plate number; and

(18) signature of law enforcement officer making the stop.

(c) A copy of the completed citation shall be given by the law enforcement officer to the motorist or pedestrian who was stopped.

(d) Within 15 days after each citation is issued, such forms will be mailed, faxed, optically

scanned or sent electronically by each Kansas law enforcement agency to the office of the Kansas bureau of investigation where data from such forms shall be compiled into a statewide citation database.

(e) At the beginning of each month, the Kansas attorney general shall receive compiled statewide citation data from the Kansas bureau of investigation and make such data available to the public and all law enforcement agencies.

(f) The data shall be analyzed by statistical experts for patterns of racial profiling or other biased policing at least once every three months. The results of each three-month statistical analysis shall be posted on the official website of the attorney general within two weeks after each analysis is completed.

(g) Law enforcement agencies or individual officers who need to correct their racial or other biased policing behavior shall be contacted by the attorney general's office within two weeks after a pattern of biased-based policing is identified as one standard deviation above the mean for all racial or other groups of motorists and pedestrians stopped in a five-block radius in a town or city or a 10-mile section of road or highway.

(h) An annual report summarizing the types of citizen contacts and which law enforcement agencies need to end their racial or other biased policing shall be prepared by the attorney general and submitted to the legislature, governor and Kansas law enforcement agencies on or before January 10 of each year. Each annual report shall be posted on the official website of the attorney general by January 15 of each year.

(i) Any law enforcement officer shall provide, without being asked, such officer's business card to any person whom the law enforcement officer has detained in a traffic or pedestrian stop. The business card shall include identifying information about the law enforcement officer, including, but not limited to, the law enforcement officer's name, division, precinct and badge or other identification

number and a telephone number that may be used, if necessary, to report any comments, positive or negative, regarding the stop.

(j) Nothing in this section shall be construed to require the collection and maintenance of information in connection with roadblocks, vehicle checks or checkpoints, except when such traffic stops result in a warning, search, seizure or arrest.";

And by renumbering sections accordingly;

On page 1, in the title in line 2, before "amending" by inserting "traffic stops relating to use of safety belts;"

Senator _____