

Senate Judiciary Committee
March 15, 2017
House Bill 2070

Testimony of Geoffrey Clark
on behalf of the Kansas Association of Criminal Defense Lawyers
Opponent

Dear Chairman Wilborn and Members of the Committee:

We offer this testimony in opposition to HB 2070 and its attempt to keep the citizens of Kansas from important information about the law enforcement officers they employ. I been a lawyer for 18 years. I have been both a prosecutor and criminal defense attorney. Both of these jobs have shown me the need for effective, honest, and transparent law enforcement whom our citizens can trust.

Our police agencies can only be effective if people trust the officers. People will only trust officers if the system is perceived as fair and transparent. As the members of the Committee are aware, in many communities across the country the distrust of the police is so high that few crimes are reported and it is extremely difficult for anyone to be convicted of a crime. Kansans deserve to have law enforcement officers they trust. The most important thing for an officer to be is beyond reproach.

I have been practicing law in a small town almost my whole career. I have seen several officers who commit abuses and are either fired or forced to resign. Those people then take jobs as law enforcement officers in other communities. For instance, I remember one officer who loved to fight. During one traffic stop, this officer punched a father in his 30's for no reason. The officer was forced to resign, but it is my understanding that officer moved on to another law enforcement job. Currently we have a deputy who repeatedly lied under oath, "lost" evidence, and routinely deprived people of their constitutional rights in his previous job. He resigned from the previous job after being told that his employer was going to start an investigation. He now has a job as a deputy in our community.

Under this bill, it would be impossible for our citizens to find out about these officers' history through CPOST. Elected officials who hire these officers would not be held accountable until something tragic happens. Most importantly, citizens perceive this bill to be designed to protect officers who have committed misdeeds from being detected by the public.

I cannot think of another professional organization that would be given such a broad license to deny the public information. Doctors, lawyers, and even beauticians have licensing boards. When there are misdeeds, the boards make them public. For some

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reason, though, this bill seeks to keep secret the misdeeds of the people who are given a license to lock people up in cages, to kill, and whose word can destroy anyone's life.

When people cannot find the history of officers, they trust the police less. Our citizens in our small towns feel less safe. To make sure these bad police officers are not recycled, it is essential that citizens can quickly and easily find out who the good and bad police officers are. If they believe that the system is transparent, we will have better law enforcement officers and more trust in the system.

Thank you for your consideration,

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