

To: Senate Judiciary Committee

From: Doug Taylor, Legal Counsel

Date: March 13, 2018

RE: Written-only Testimony in Support of HB 2581

I would like to thank Chairman Wilborn and the members of the Committee for allowing the League of Kansas Municipalities the opportunity to provide testimony in support of HB 2581.

This bill amends K.S.A. 21-6207 to create the newly-defined crime of “making an unlawful request for emergency service assistance.” This new crime expands the current crime of “giving a false alarm” to include unlawful requests of law enforcement, including 911 calls. The bill also amends the penalty provisions of the existing law to create escalating penalties if varying degrees of bodily harm or death occur as a result of an unlawful request. The bill specifies it is not a defense to the crime if the victim or others, including law enforcement, contributed in some manner to the bodily harm or death.

This legislation is in response to a recent incident in one of our member cities involving a practice known as “swatting,” where an individual places a fake 911 call, often times alleging a hostage situation or other serious circumstances, with the intention of dispatching law enforcement personnel to interact with an unsuspecting person.

The League supports HB 2581 and believes this bill creates appropriate penalties which will hopefully serve as a deterrent for this irresponsible act, which places local law enforcement officers, and the general public, in significant danger. Furthermore, the bill provides crucial protection to law enforcement officers who are merely performing their duties by responding to requests for emergency assistance.

We respectfully request this Committee recommend HB 2581 favorably for passage to the full House for its consideration.