



Kansas Sheriffs' Association

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Testimony to the Committee on Judiciary In Opposition to HB2667-Officer Involved Deaths

Committee Members,

The Kansas Sheriff's Association submits testimony in opposition to HB2667.

HB 2667 is a better version of HB 2424. However, subsection (c) line (3) is not clear on how to proceed. Does the involved agency have the authority to secure evidence, gather witnesses and obtain information or not? The term "procedure" means what exactly? The agency involved needs to have something in their written policy that covers whether or not we can do our basic job or not? The KSA still sees this section as ambiguous.

Unfortunately, LEO involved deaths occur. These events at the onset can be chaotic and to have a procedure that does not allow for the gathering of evidence to secure from the general public and speaking to witnesses before they disappear is not conducive to a complete investigation. In all other investigations LEO's are trained to respond in a manner that preserves life, gathers and secures evidence, identify a suspect(s) and obtain witness statements. The KSA does not view an LEO involved death any differently. This section will need clarification before the KSA would support the bill.

KSA would also like to point out that in several of the LEO death cases, a civil lawsuit is filed. There is a remedy if the person or their family believes the law enforcement officer actions were wrong. The U.S. and Kansas Constitution allow for civil remedies and the affected party still gets their day in court. All too often this is the route that is taken when the LEO was justified in his/her actions.

The KSA believes these bills are being written due to lack of trust of law enforcement and the charging authority in these cases. For the KSA to support this bill it must work for both law enforcement and the charging authority.

The Kansas Sheriff's Association is opposed to HB2667 in its entirety.

Thank you for allowing this opportunity to provide testimony on this bill.

Sheriff Jeffrey T. Easter
Legislative Chair for the Kansas Sheriff's Association