



Kansas County & District Attorneys Association

1200 SW 10th Avenue
Topeka, KS 66604
(785) 232-5822 Fax: (785) 234-2433
www.kcdaa.org

To: Chairman Wilborn and Members of the Senate Judiciary Committee

From: Kim T Parker, Prosecutor Coordinator:

Kansas County and District Attorney's Association

Date: February 20th, 2019

Re: Proponent Testimony Senate Bill 80

Good Morning Chairman Wilborn and Honorable Committee Members,

Thank you for the opportunity to propose SB80 and to support the passage of this very important measure. Today I testify on behalf of the Kansas County and District Attorney's Association and the many prosecutors they represent across this state. The primary responsibility of all prosecutors is to uphold the law of this state, and to protect of the citizens of this state from violent and illegal acts. SB80 supports a measure to increase the penalty for those individuals who have been convicted of a felony crime and are not legally allowed to possess a firearm.

SB80 seeks to amend K.S.A. 21-6304 Criminal Possession of a Firearm by a felon. It has long been the law of this state to prohibit the carrying of dangerous weapons including firearms by convicted felons. It is our position increasing the penalty level from SL8 to SL6 more appropriately fits the crime. SB80 is important for the continued protection of Kansas citizens from crimes of violence.

In recent years we have continued to experience a dramatic increase in crimes of violence and a rise in the use of firearms to carry out those crimes. Every defendant who is convicted is advised by the court that they cannot possess a firearm for a period of time following their conviction. The length of this time period is determined by the seriousness of the underlying crime. When defendants are thereafter found in possession of a firearm, they are flaunting the order of the court and the laws of this state.

We recognize there may be a bed impact. However, we suggest that these same individuals would be incarcerated anyway on their original conviction necessitated by the violation of the court order and violation of the state law. Indeed, they would have an increased sentence which we believe would be merited upon proof of their knowing and deliberate refusal to follow the law.

This measure also amends the definition of firearm to include ammunition to bring the Kansas statute in line with the federal statute.

Most importantly, our association urges the passage of this bill as it works to protect our citizens from gun violence. This bill is not directed at responsible gun owners or even convicted felons who accidentally find themselves in possession of a firearm or ammunition. This provision does not change the longstanding law of this state regarding the illegal possession of firearm. It only serves to appropriately increase the penalty for this crime and to include the **knowing possession of ammunition by a felon**.

We urge the passage of SB80

Respectfully Submitted

Kim T Parker

Prosecutor Coordinator

Kansas County and District Attorney's Association