

STATE OF KANSAS  
SENATE CHAMBER

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**KEVIN BRAUN**  
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Chairman Wilborn & Senate Judiciary Committee Members,

I come before you today as a proponent for Senate Bill 413. The concern that generated my interest in SB 413 came to me while meeting with a group of over 30 constituents that work in State and Private Corrections, County, City and Federal Law Enforcement and those that work in the State and County justice system. The concern stemmed from several past incidents of assault on corrections officers at a contract facility where under current law the perpetrator did not face the same charges as they would have if they assaulted a corrections officer in a Federal, County or City facility. Currently those who assault a State or City corrections officer are automatically charged under K.S.A. 2019 Supp. 21-5412 and 21-5413. Those who assault someone in a Federal facility face similar Federal charges. Unfortunately, those corrections officers who are assaulted at a contracted facility do not have these protections. In fact, if a corrections officer at a contracted facility in Kansas is assaulted they as an individual would have to go to the County Courthouse and file charges as an individual against the detainee as another individual. A significant number of past and present contract corrections officer employees currently serve or have served in a facility within my Senate District.

Given the facts above there are many concerns that can be raised on this issue. For purposes of gaining your support of this bill I will focus on three. The first is that the bill is a matter of fairness and resolves the disparity among correctional officers. The second is the concern of consistency and deterrence for those being held at these facilities. The third is to address the concern of the families of my constituents about the welfare of their corrections officer.

The first reason that this bill is warranted is that it resolves the current disparity in the way different corrections officers are treated in Kansas. It is important to note

that those being secured at these facilities were arrested by the U.S. Marshal Service for prosecution and are held at the contracted detention facility until their case can be heard or the State of Kansas has contracted to detain inmates in line with the sentence assigned to them by the Kansas justice system. With the role of these private corrections officers being either an extension of the duties of the U.S. Marshal service or by contract with the State, which is an extension of the Kansas Department of Corrections, the legal consequences of an officer assault should be the same. If we expect contracted corrections officers to provide the same safe and effective support to those incarcerated, we should afford them the same protections.

The second reason this bill is warranted is that it creates a clear and predictable standard for all those involved in the justice system that they will be treated fairly and consistently. Although it may seem as if the reduced enforcement for assaulting a contracted corrections officers would be benefit the detainee it actually sets a standard for behavior that will result in greater charges in the future. Providing detainees with a consistent standard of how to treat all corrections officers is more likely to result in compliance with positive behavior and deterrence of negative behavior.

The third reason I believe this bill is warranted is because it meets the reasonable expectations of Kansans who have a family member who works as a contracted corrections officer. These are incredibly important careers to our community, and our society, and they need to be treated with respect. These officers and their families deserve to have the same peace of mind that other corrections officer families do. They deserve to know that their corrections officer will be afforded the same basic protections afforded to State and Federal corrections officers.

For these reasons, I ask that you review SB 413 in committee and pass this bill out favorably to the Senate floor for debate.

Respectfully,

A handwritten signature in black ink, appearing to read "Kevin Braun". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kevin Braun, Kansas Senate District 5