



Kansas Sheriffs' Association

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Neutral Testimony to the House Judiciary Committee On HB2674 March 3, 2022

Chairman Patton and Committee Members:

The Kansas Sheriffs' Association offers this neutral testimony on HB2674. We are not taking a position on the policy decision of whether the bond forfeiture should be set aside for the conditions listed. We are instead focusing on the logistical aspects of the bill that directly affect the operations of our member Sheriff's Offices.

The primary provision of interest to us in this bill is found on Page 1 line 34 through page 2 line 6. Our first concern is that this bill seems to pertain to both felony and misdemeanor warrants and bonds. Entering a felony warrant in NCIC if not served within fourteen days of order by the court is not unreasonable. But while misdemeanor warrants can be entered in NCIC, they are not always entered. Some misdemeanor warrants will not result in extradition from a significant distance, even within the state. The cost benefit ratio does not make sense in many misdemeanor cases. Entering those in NCIC is not a good use of our personnel time and serves little, if any, purpose.

We understand an amendment is in process to have these provisions apply only to felony warrants. We ask that whatever process is placed in the bill to enter the warrant into NCIC the bill include some time frame to do so. Frequently warrants are issued on persons we know are in custody or our sheriffs will know where to find the person within a reasonable time. For example, in such cases if we are provided a 14 day window to make the entry, we can avoid the time of needlessly making the entry into NCIC when it appears that step is not needed.

We also suggest an alternative to the court order. That would be to place in statute a requirement that a sheriff enter a felony warrant into NCIC within 14 days and to notify the court if making that NCIC entry is not possible. This would be consistent with similar provisions in KSA 75-712c (a)(3) and KSA 38-2289 (b) regarding NCIC entry of missing persons. It would also eliminate any added burden on the courts.

We appreciate the consideration of these concerns, and we are willing to work with the parties involved on appropriate amendments.

Ed Klumpp
Legislative Liaison