



STATE OF KANSAS
Tenth Judicial District

OFFICE OF DISTRICT ATTORNEY

STEPHEN M. HOWE, DISTRICT ATTORNEY

March 8, 2022

Office of Kansas Attorney General Derek Schmidt
Attn: Kelly Warren, Chairman
120 SW 10th Ave, 2nd Floor
Topeka, KS 66612-1597

Re: Senate Bill 534

Dear Chairman Warren,

Thank you for the opportunity to submit our written response in support of SB534.

This bill provides for greater penalties for individuals who use a firearm to commit violent felonies. The increase in violent crime across the State is impacting the public safety of all Kansans and requires a measured response directed to these violent individuals.

The bill was structured to be used for only the most violent individuals who come through our criminal justice system. This is done by requiring certain factors to be present before the enhancement provisions could be used. First, only convicted felons who possess a firearm would be eligible for the enhanced sentence. Second, the underlying felonies must fit within the short list of violent felonies spelled out within the bill. Third, the bill requires a jury and/or judge to make a finding that the firearm was used to help facilitate the crime. Only after meeting these criteria will this enhancement provision go into effect.

Once these factors are established as a matter of law, the Court is then required to make the felon in possession of firearm charge consecutive to the sentence for the violent felony. This bill again only targets repeat offenders who commit the most violent crimes under Kansas law. This bill is a reasonable and measured approach to protect our fellow citizens.

I encourage you to support this bill and thank you for your time.

Sincerely,

/s/ Stephen M. Howe

Stephen M. Howe
Johnson County District Attorney