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To: Chairman Owens and Members of the House Committee on Corrections and Juvenile Justice

Date: March 5, 2024

Re: Senate Bill 318, Neutral Testimony with Concerns

After reviewing SB318, I would like to express concerns regarding this amendment and its potential implications on what we do at the Johnson County Sheriff's Office Criminalistics Laboratory. Although I cannot speak to the frequency at which individuals are arrested and fingerprinted by municipal entities, solely for these offenses, I feel as though I can speak to the benefit and/or potential benefit of having these fingerprints taken.

When we examine a case and enter latent fingerprints and/or palm prints into the Automated Fingerprint Identification System (AFIS), those prints are searched against the database of known finger and palm prints maintained by the KBI. When we are successful in identifying those unknown prints to suspects, victims, and other persons, it is because of the robustness of the known print database. If we are unsuccessful in identifying latent prints from crime scenes during this initial search, we can enter those prints into the Unsolved Latent File. This unsolved file is continually searched against new applicant and new arrest records when they are collected and submitted to the KBI for archiving.

It is possible for one individual to have multiple records on file, but not all records are created equal. We commonly utilize multiple records to conduct complete examinations. Some records may contain more completely captured finger and/or palm prints. Some records may not capture all ten fingers, for example a finger may be bandaged during the fingerprinting process and is not able to be recorded. Some records may be of an overall better quality. The more records a person has on file, the better chance we will have access to the information we need to do a comparison.

Additionally, we could have a series of unsolved crimes with latent prints entered in the Unsolved Latent File, waiting for the offender(s) to be arrested. All it takes is for the right person to be in the right place at the right time to be pulled over for a broken taillight only for the officer to find out they are driving without a valid driver's license or expired registration. When that individual shows up to court and is ordered to be fingerprinted, that new arrest record is then searched against the prints in the Unsolved Latent File. A potential suspect could be identified from a seemingly innocuous offense, especially if that happens to be their first fingerprint record on file.

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While I appreciate the time and effort it takes to collect known prints, having done so many times over the 18 years I have been in this field, especially when using ink and cardstock, the results can most certainly be worth it. The records that are collected and sent to the KBI to populate the known print database are done so, in part, for purposes that statute requires fingerprints be collected. These statutes are what help build a large database of known prints which is central to our ability to generate investigative leads to law enforcement agencies inside and outside of Johnson County. I would not want to see our ability to assist law enforcement investigations be diminished because the number of reasons for which people are fingerprinted is reduced.

Respectfully submitted,

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