

**Testimony of Paul Snider
Before the Senate Judiciary Committee
In Support of Senate Bill 41
February 1, 2017**

The Kansas City Area Transportation Authority (KCATA) operates and manages public transportation systems in the Kansas City area and also performs long and short term transit planning for the region. Since 2015, the KCATA has managed Johnson County's transit system and has partnered with the Unified Government to provide service in Wyandotte County in concert with UG Transit.

SB 41 creates new penalties for assault and battery when the victim is a public transportation employee. I appreciate the committee's willingness to review this important issue. I want to be very clear from the outset: bus service in Johnson and Wyandotte Counties is very safe today.

The KCATA, as a bistate, regional entity, desires to have uniform policies across the region. In 2014, the Missouri General Assembly passed HB 1371, which, among other things, increased penalties for assaults of mass transit system employees. The provisions of that bill went into effect at the beginning of this year.

It's important to note the Missouri statutory definition of "assault" closely resembles the Kansas definition of "battery". For example, the Missouri crime of assault in the 3rd degree, as defined in RSMo 565.054, is: "A person commits the offense of assault in the third degree if he or she knowingly causes physical injury to another person." The penalty for the crime, if committed against a mass transit employee, is a class D felony, punishable by 4-10 years in prison.

As we looked at crafting this bill, we felt it was important to provide a reasonable balance of increasing penalties, but not increasing them so much as to treat our employees as public safety officers.

The bill would increase penalties for assault and battery of public transportation employees. For assaults, the penalty would increase from a class C person misdemeanor to a class B misdemeanor. For battery, the penalty would increase from a class B misdemeanor to a class A misdemeanor.

In addition, in both cases of assault and battery, public transportation systems would be able to bar those persons convicted from using public transportation services.

While this issue may be somewhat new to the Kansas Legislature, a simple Google search of "bus operator assaults" delivers pages of examples from across the country.

Public transportation operators provide a valuable public service throughout the community. Again, while our recently history has been positive, bus operators can be especially vulnerable. On the Missouri side of the metropolitan area, on average 15 KCATA bus operators are physically assaulted every year. Some of the incidents can produce serious injury to our employees.

According to a 2011 report issued by the Transit Cooperative Research Program, almost half of all U.S. states have enacted stronger penalties for assaults on transit workers. According to the report, it is believed that such legislation, when well publicized and enforced, can deter assaults.

While our Kansas operations are very safe for our riders and bus operators, KCATA is preparing for a future of increased ridership and usage of public transportation.

We urge you to support SB 41.

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