

Kansas Peace Officers' Association



INCORPORATED

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Testimony to the Senate Judiciary Committee Supporting HB2459 March 14, 2018

Chairman Wilborn and Committee Members,

The Kansas Peace Officers Association supports HB2459, and more specifically the product of the work of the Judicial Council on this complex issue.

We understand the additional reporting requirements in the bill, and believe from the agency perspective it is a good balance between reporting and the agency resources. We also agree it would be helpful and promote openness to have civil forfeiture data available on a statewide basis. We support this provision.

We also believe it is not unreasonable for the law enforcement officer to complete an affidavit of probable cause at the time the seizure for forfeiture is made. We complete affidavits on a variety of matters including search warrants, arrest warrants and arrests.

Another change in the law is with the statutory guidelines on how forfeited funds may be spent. The bill adds the same provisions which apply to federal forfeiture funds. This creates consistency in the use of forfeiture funds and we believe it is a reasonable compromise starting point for adding clarity to Kansas forfeiture fund expenditures.

In summary, we recognize the challenging work of the Judicial Council and the compromises made in that committee to reach a consensus on the proposed bill. We support HB2459 as presented by the Judicial Council.

Frank Denning, Sheriff-Retired