



COUNSELOR'S OFFICE

115 N. 4th Street, 3rd Floor
Manhattan, Kansas 66502
Phone: 785-565-6844
Fax: 785-565-6847
Email: choleman@rileycountyks.gov

January 20, 2022

The Honorable Chairman John Barker
House Federal & State Affairs
Capitol Building, Room 346-S
Topeka, KS 66612

Re: Neutral Oral Testimony on HCR 5022

Dear Chairman Barker and Members of the Committee:

My client, the Board of Riley County Commissioners, like the legislature, did not meet Monday, January 17, 2022, observing the Martin Luther King, Jr. holiday. Commissioners do not meet again until this morning. This deprives the Riley County Commission of its ability to discuss in a public meeting the policy merits of HCR 5022. So I offer the following as my own neutral oral comments. My testimony will focus on some key legal aspects of HCR 5022. I am confident my client will weigh in on the substance of HCR 5022 in the future, after the Board discusses it publicly.

A critical portion of HCR 5022 which should remain as written is Section 2(b). That section respects the prior decisions of any county which "abolished the office of sheriff prior to January 11, 2021." Riley County has operated successfully without a sheriff and with consolidated law enforcement since January 1, 1974. (K.S.A.19-4424 to 19-4445) During these past 48 years of consolidated law enforcement, the citizens of Riley County have always had the option of ending consolidation at any time. (See K.S.A. 19-4445 and K.S.A. 19-4426). But Riley County citizens have not done so. The two governmental funding partners for this county's consolidated law enforcement are the Board of Riley County Commissioners and the Manhattan City Commission. Those local governmental partners also have an option each June of changing by agreement their assigned proportion of funding for consolidated law enforcement. (K.S.A.19-4443(d)). But like their constituents, these partners see the value of consolidated law enforcement in this county and have left the statutory shared division of their funding in place.

Please respect the fact Riley County taxpayers recognize the value of their local control of Riley County law enforcement through its countywide consolidation.

Respectfully, I ask this committee to leave Section 2(b) in place as written within HCR 5022, along with the accompanying statutes above. The existing statutory framework has allowed Riley County citizens to implement and logically fund consolidated law enforcement for nearly 50 years.

Thank you for allowing me to offer this oral neutral testimony on HCR 5022.

Sincerely,

Clancy Holeman
Riley County Counselor