

To: House Corrections and Juvenile Justice
From: Michelle McCormick, Executive Director KCSDV
Re: Proponent Testimony for SB 420 – Written-Only
Date: March 7, 2024

Chairperson Owens and Members of the Committee:

The Kansas Coalition Against Sexual and Domestic Violence (KCSDV) is a nonprofit organization located in Topeka with 25 member organizations providing direct services to victims of sexual and domestic violence statewide. These are the programs that provide critical services to survivors 24 hours a day, 7 days a week and include emergency shelter, hotline support, counseling, and other supportive services.

KCSDV offers proponent testimony on SB 420 today – a bill that would remove concealment as an element from the crime of breach of privacy.

The statutory change would clarify that the camcorder, motion picture camera or photographic camera of any type does not have to be concealed as an element for the crime of breach of privacy.

This is a commonsense bill that fixes the unintended consequence of the adjective – “concealed” – which could limit the ability to convict perpetrators of breach of privacy charges to those who try to hide the recording device. Under the current statute, K.S.A. 21-6101(b)(6), a breach of privacy prosecution could be derailed due to the perpetrator **openly** installing or using a camcorder, motion picture camera, or photographic camera of any type. Additionally, this bill would eliminate the ambiguity of what constitutes concealed.

For the reasons stated above, KCSDV is a proponent of the statutory change in 2024 SB 420.

Sincerely,



Michelle McCormick, LMSW
Executive Director
KCSDV