

Kansas Peace Officers' Association



INCORPORATED

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Testimony to the Senate Committee on Judiciary Opposing SB458 February 13, 2024

Chairwoman Warren and Committee Members:

The Kansas Peace Officers' Association is grateful for the continued opportunities to share our members' input regarding proposed bills, including Senate Bill 458.

Asset forfeiture, applied correctly, is a tool that allows law enforcement agencies to use proceeds from criminal acts, instead of using tax dollars, to be proactive instead of reactive in fighting crime. The KPOA supports transparency with any type of criminal or civil proceeding, as that promotes trust and support from the public we serve.

Our opposition is based on the following three items in the bill. KPOA respectfully recommends the following changes be incorporated into SB 458:

#1 Page 7, item (m) prohibits federal adoption of a forfeiture. Kansas law enforcement agencies participate in Federal task forces, however present language would prevent a transfer of a locally initiated case to the federal task forces or agencies if further investigation reveals an interstate or international connection.

#2 Page 15, section (7), sub-section (c) allows for a claimant to demand a jury trial pursuant to K.S.A. 60-238. KPOA believes this language should not be included in the bill.

#3 Page 19, section (2), the KPOA is opposed to ordering law enforcement to pay for attorney fees if the claimant prevails in the civil case, assuming the officer(s) acted in good faith.

The Kansas Peace Officers' Association appreciates your consideration of these suggestions.

Paul Schliffke

Past President

KPOA Legislative Committee