



Kansas Bureau of Investigation

Kirk D. Thompson
Director

Derek Schmidt
Attorney General

**Neutral Testimony on House Bill 2667
Before the House Standing Committee on Judiciary
Kirk Thompson, Director
Kansas Bureau of Investigation
February 18, 2020**

Chairman Patton and Members of the Committee:

My name is Kirk Thompson and I currently serve as the Director of the Kansas Bureau of Investigation (KBI). Thank you for the opportunity to provide neutral testimony with regard to House Bill 2667, which proposes to create new requirements for the investigation of "Officer-involved Deaths".

For the past several years, the KBI has collected data with regard to the number of Officer Involved Shooting (OIS) cases in our state. To give the committee some context as to the number of incidents we have been able to document over the past seven and one half years, please consider the following:

- On average, there are 21.2 OIS cases in our state per year.
- Of those cases, 51.2% resulted in a fatality and would be subject to the provisions of this bill.
- The highest number of OIS cases on record during the past seven and one half years was 25 in 2015.
- The KBI investigates on average 14.8 of the OIS cases per year (70%).

As an investigative agency, we have significant experience and expertise in this field and have well developed procedures for conducting investigations into these critical incidents. Those procedures and best practices have been developed over time in conjunction with a national best practices effort. I believe, therefore, that we are in a unique position to comment on the provisions of this bill.

First and foremost, the requirement that all such investigations be conducted by or lead by investigators from an outside agency is the norm in our state. The requirement that all agencies have a written policy to that effect merely codifies current practice. The KBI has no concern, nor do we believe that other law enforcement agencies in our state will have significant concerns with either of these requirements.

The policy requirements set forth in subsection (c) 1-5 are consistent with the current practice of most law enforcement agencies and with best practices. No concerns are noted.

The requirements set forth in subsection (d), related to the law enforcement agency conducting the independent investigation, are also consistent with the process of most law enforcement organizations and national best practice.

With regard to the provisions of subsection (e), concerning the responsibilities of the prosecutor, it is our experience that many prosecutors already prepare and present to the public a summary as envisioned by this section. From a law enforcement perspective we find no significant concern regarding this requirement, however, since it is not a requirement for the law enforcement sector we would defer to the prosecutorial sector and their position on the reporting requirements. For that reason we consider our support for this bill to be neutral.

Thank you for the opportunity to offer my thoughts and I would be happy to stand for any questions that you may have

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