



February 14, 2020

TO: Rep. Fred Patton, Chair, House Judiciary Committee  
FROM: Ron Keefover, President of the Kansas Sunshine Coalition for Open Government  
RE: Opponent Written Testimony of HB 2667

Mr. Chairman, Members of the House Judiciary Committee:

It seems more than a bit incongruent for me as an open government devotee to offer testimony in opposition to HB 2667, a bill I believe at its heart is designed to shed more light into police involved shootings, which result in death. I do thank Reps. Croft and Resman for introducing the measure.

However, the disconnect we at the Kansas Sunshine Coalition for Open Government have in HB 2667 as introduced is the Sec. 1(2)(e) that specifies only “a written summary report summarizing the investigative report” is to be released upon the prosecutor’s determination that is no basis for charges to be filed. Our concern is that whenever a secondary source is made available—the summary—rather than the primary source—the investigation records themselves—there is much concern that the full and truthful account may not have been presented in the summary.

We believe a truly transparent process in these matters would be one in which the independent investigative agency’s report is opened for inspection once it is completed and the prosecutor has determined there is no basis for filing any criminal complaint. A mere summary of that report could only lead to further questions and community turmoil, based on the belief that the summary could obtain skewed or even an inaccurate recitation of the investigators’ report. Many could perceive the “report summary” as further shielding the true facts of the shooting behind the “thin blue line” that is the common perception of many despite this day and age of modern professional police work.

One suggested resolution of this issue, if a suitable amendment cannot be made (and I would be happy to submit a draft amendment) during the legislative process, could be a referral to the Kansas Judicial Council for study this summer with a report for the next session of the Legislature. If such a procedure is chosen, I would be happy to make myself available as a Coalition representative to meet with the Judicial Council subcommittee that is assigned the task. Thank you for your consideration of this testimony.

**KANSAS SUNSHINE COALITION FOR OPEN GOVERNMENT**  
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