

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **SB 93**, as amended by House Committee (corrected), on page 2, in line 15, by striking “collected” and inserting “written on a citation”; in line 16, by striking “after each traffic stop” and inserting “and issued to a pedestrian or motorist”;

On page 4, in line 40, by striking all after “plan”; in line 41, by striking “data”;

On page 5, in line 25, by striking all after “policing”; by striking all in lines 26 and 27; in line 28, by striking all before the period;

By striking all on page 6;

On page 7, by striking all in lines 1, 2, and 3, and inserting the following:

“New Sec. 6. (a) On and after July 1, 2012, data collected on each citation issued by a law enforcement officer shall be sent to the Kansas bureau of investigation.

(b) The data collected on each citation shall include:

(1) Law enforcement officer identification number;

(2) law enforcement agency code;

(3) month, day, year, hour and minute of stop;

(4) name of the person to whom a citation was issued;

(5) who was stopped, a motorist or pedestrian;

(6) gender of person stopped, male or female;

(7) specific age of person stopped;

(8) race of person stopped, African American, Hispanic, Native American, caucasian, Asian,

Arabic or other as stated by person stopped or by officer observation;

(9) reason for stop: Violation of the criminal code; violation of a county resolution or city ordinance; calls for service; suspect or vehicle description or pre-existing knowledge or information, such as a warrant; citizens assist or welfare; or traffic violation such as a moving violation, equipment failure or license plate violation. If a moving violation, the officer shall indicate the specific violation;

(10) result of stop: Citation, warning or arrest;

(11) if person was arrested, what crime or violation was alleged;

(12) nature of the search conducted on the pedestrian, driver or passenger, or of the vehicle or property or no search was conducted;

(13) search authority: By consent; tow inventory; odor of drugs or alcohol, or both; plain view contraband; incidental to arrest; dog alert; search warrant; or other;

(14) whether contraband was discovered, if so, was it illegal drugs; drug paraphernalia; weapons; alcohol; currency or stolen property; or other;

(15) stop location in agency boundaries, using the specific address of each stop including street address or highway mile marker, city and county;

(16) duration of stop listing the number of minutes;

(17) vehicle license plate number; and

(18) signature of the law enforcement officer making the stop.

(c) A copy of the completed citation shall be given by the law enforcement officer to the motorist or pedestrian who was stopped.

(d) Within 15 days after each citation is issued, such forms shall be mailed, faxed, optically scanned or sent electronically by each law enforcement agency to the Kansas bureau of investigation where such data shall be compiled into a statewide citation database.

(e) At the beginning of each month, the attorney general shall receive complied statewide

citation data from the Kansas bureau of investigation and make such data available to the public and all law enforcement agencies.

(f) An annual report summarizing the types of citizen contacts and which law enforcement agencies need to end their racial or other biased-based policing shall be prepared by the attorney general and submitted to the legislature, governor and Kansas law enforcement agencies on or before December 31st of each year. Each annual report shall be posted on the official website of the attorney general.

(g) Nothing in this section shall be construed to require the collection and maintenance of information in connection with roadblocks, vehicle checks or checkpoints, except when such traffic stops result in a warning, search, seizure or arrest.”;

And by renumbering the remaining sections accordingly

_____ District.