



Kansas Bureau of Investigation

Kirk D. Thompson
Director

Derek Schmidt
Attorney General

**Testimony in Support of House Bill 2625
Before the House Standing Committee on Corrections and Juvenile Justice
Kirk D. Thompson, Director
Kansas Bureau of Investigation
March 1, 2018**

Chairman Jennings and Committee Members:

My name is Kirk Thompson and I serve as the Director of the Kansas Bureau of Investigation. Thank you for the opportunity to submit written testimony in support of House Bill 2625.

Per K.S.A. 74-5606, I serve as a statutory member of the Kansas Commission on Peace Officers' Standards and Training (KSCPOST). I also had the opportunity to participate on the Judicial Council Criminal Law Advisory Committee's study of 2017 House Bill 2070.

Other conferees will speak to the purpose of the central registry maintained by KSCPOST; my comments will be limited to participation on the Judicial Council's Criminal Law Advisory Committee and how HB 2625 clarifies what information constitutes the KSCPOST Central Registry, to whom the central registry records can be disclosed for official purposes, and specifically what records can be disclosed pursuant to the Kansas Open Records Act (KORA).

When a law enforcement officer is suspected of violating the Kansas Law Enforcement Training Act, the officer's employing agency is required to provide information to KSCPOST for use in an administrative determination as to whether any action against the officer's certification is warranted. The records that agencies provide include central registry forms documenting the officer's termination or status change, investigative records related to the alleged violation, and agency personnel records which may include personal, medical, and employment information about the officer. Additional records are also collected or produced by KSCPOST during their investigative process.

The Criminal Law Advisory Committee determined that, first and foremost, the contents of the central registry should be defined to include all records received or created by KSCPOST concerning a violation of the Kansas Law Enforcement Training Act. The committee also felt that KSCPOST's authority over such records should mirror other licensing agency statutes and declare all records contained in the repository to be confidential and prohibit disclosure except as specifically set out by statute.

In the language proposed in this bill such disclosure to the public, pursuant to KORA, would include any order or agreement regarding the censure, reprimand, suspension, revocation or denial of a certification of a person as a law enforcement officer. This would also include any records submitted during (or any transcripts of) any hearing regarding action against an individual officer's certification. It also provides a list of specific information about the status and employment history of each Kansas law enforcement officer that would be available pursuant to KORA.

I believe that the consensus position proposed by the committee provides clarity as to the type of records that comprise the central registry; provides protection to law enforcement officers with regard to disclosure of unsubstantiated complaints; and provides public disclosure as to substantiated complaints and disciplinary actions taken by KSCPOST. I strongly support the work of the Criminal Law Advisory Committee as represented in H.B 2625.

Thank you for your time and consideration.

###