

To: House Federal and State Affairs

From: John Goodyear, Staff Attorney

Date: March 26, 2021

RE: Neutral Testimony on HB 2251 – Written Only

I want to thank Chairman Barker and the members of the Committee for affording the League of Kansas Municipalities the opportunity to provide neutral testimony today regarding HB 2251.

HB 2251 would require that a relinquishment order requiring a defendant to relinquish all firearms in their possession be issued upon conviction for domestic battery or the issuance of a protective order. While the goal of this legislation, to keep those survivors of abuse safe from further violence, is a worthy one and one that should be considered and addressed, the bill as drafted presents some issues for law enforcement entities.

Notable among these problems is the increased costs associated with protecting officer safety. In certain circumstances, this bill would require law enforcement officers to personally serve the defendant with the order and require the defendant to surrender all firearms in their possession to the officer giving service. In many circumstances, this would not prevent an issue, but it is foreseeable that there will be times that this attempt to retrieve weapons will lead to violence. In order to mitigate these risks, officers will have to serve these orders in teams and will require protective gear. Both of these things present additional costs to local law enforcement agencies. Even then, risk of deadly altercations when serving these orders cannot be completely mitigated. Any legislation should take this risk into consideration and provide avenues to help fund these mitigating efforts. This testimony is not meant to weigh the risk to one life against another. Rather, our position is that any legislation in this arena should be drafted in a way that is reasonably calculated to prevent harm to all – survivors of domestic violence and those who will be required to enforce the provisions of the bill. This legislation does not yet do that.

Another issue that this legislation will cause for law enforcement agencies is with storage. The increased surrender of weaponry caused by this legislation will place a burden on agencies trying to determine the best way to store and preserve or dispose of the firearm. Agencies have a limited

capacity to store items such as this, and it is our fear that a deluge of firearms coming in due to this legislation could overwhelm local law enforcement entities.

Thank you again for the opportunity to inform the Committee of our concerns with this legislation. The League would ask that these issues be considered before the Committee takes any action on HB 2251.