

To: Senate Judiciary Committee

From: John Goodyear, General Counsel

Date: February 9, 2022

RE: Testimony in Support of SB 435 – Written Only

I want to thank Chairwoman Warren and the members of the Committee for affording the League of Kansas Municipalities the opportunity to provide testimony in support of SB 435.

This bill clarifies the jurisdiction of county law enforcement, city law enforcement, university law enforcement, university police, school campus police, the adjutant general law enforcement, and the police from the Horsethief Reservoir – making it clear when these entities can act in a space that would not otherwise be within their jurisdiction. Each of these entities will now have the clear authority to act where their assistance has been requested by another agency, when in fresh pursuit of a person, when transporting persons in custody to an appropriate facility, and when investigating a crime in another jurisdiction if notice is given where the investigation will be conducted.

Further, SB 435 will allow law enforcement to exercise their authority when outside their jurisdiction if they observe a violation of law where the officer reasonably believes that the safety of a person is in jeopardy and immediate action is required. This exception will only be available in limited circumstances but will go a long way in ensuring that our law enforcement officers can act to protect people at risk of immediate harm.

Gaps in jurisdiction for the various law enforcement entities in the covered in the general jurisdiction statute have led to confusion, case dismissals, and the exclusion of evidence. The League supports SB 435 as a clarifying measure and respectfully ask the Committee to recommend the bill favorably for passage.