



Kansas Bureau of Investigation

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Before the Committee on Corrections and Juvenile Justice
Robert Jacobs, Executive Officer
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Chairman Owens and Members of the Committee:

My name is Robert Jacobs and I serve as the Executive Officer of the Kansas Bureau of Investigation (KBI). Thank you for the opportunity to provide testimony in support of HB 2350, which creates the crime of human smuggling and aggravated human smuggling.

The KBI supports HB 2350, because it fills a gap in Kansas law between human trafficking and human smuggling. Human trafficking is defined under K.S.A. 21-5426 as:

Human trafficking is the intentional recruitment, harboring, transportation, provision or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjecting the person to involuntary servitude or forced labor.

The key phrase being **involuntary** servitude or forced labor. We believe the legislative intent of HB 2350 is to address those situations in which the individual **consents** to the harboring, transporting, or concealment for the purpose of entering into or remaining within the State of Kansas. HB 2350 would allow law enforcement to mitigate the movement of individuals in Kansas who have unlawfully entered the United States. Furthermore, identifying people who purposefully transport, harbor, or conceal individuals is the first step to subsequently preventing the possible forced labor and/or sex trafficking of individuals as well.

There is some concern regarding the absence of “intent” within the language of the bill. Much like K.S.A. 21-5426, the KBI would recommend the bill include “the *intentional* transporting, harboring or concealing an individual into or within Kansas, who the person knows, or should have known is entering into or remaining in the United States illegally”.

The agency believes that adding the foundation of “intent” to the bill will significantly assist with the enforcement and prosecution of this law.

The KBI appreciates the committee’s consideration of this testimony and encourages the committee to pass HB 2350 favorably out of committee.

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