



Kansas Sheriffs' Association

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Testimony to Committee on Corrections and Juvenile Justice
Proponent Testimony on HB 2665
February 12, 2024

Chairman Owens and Committee Members,

During my career, I have seen several tragic events that HB 2665 is trying to correct. Throughout Kansas there are many cases where a driver has critically injured or killed a pedestrian or another motorist and fled the scene. In most of the cases in my career we suspected they fled due to drunk driving. If the driver in a fatal accident is intoxicated and stays on scene then the charges are more severe. If the driver is drunk and flees the scene then the charges are less severe.

What law enforcement generally observes in these cases is the driver flees and then comes back several hours later and shows no signs of impairment. Law Enforcement then has no probable cause to start a vehicular homicide investigation because we do not have probable cause that the fleeing driver is intoxicated. Law Enforcement then must conduct follow-up trying to identify if the driver was at a party or bar and try to establish probable cause that the driver consumed enough alcohol or illegal substance to prove they were over the legal limit. This is virtually impossible. Thus, the driver flees to escape the charge of vehicular manslaughter which comes with stiffer penalties than fleeing the scene of an injury accident.

In HB 2665 the most prominent changes occur in section (B) subsection (5) which states: "The death of any person, if the driver knew or reasonably should have known that such accident resulted in injury or death is a severity level 4, person felony, except as provided in subsection (B) (6)." This provision raises the bar from a severity level 5 person felony to a severity level 4 person felony.

In section (B) subsection (6) is an entirely new section which states: "The death of more than one person, if the driver knew or reasonably should have known that such accident resulted in injury or death, is a severity level 3, person felony."

The proposed bill does provide more justice to the victim's families for the crime of fleeing a scene when the driver should have reasonably known that they have severely injured someone or killed a person(s).

KSA is supportive of this bill.

Thank you for your consideration.

Jeff Easter
KSA Legislative Chair