



February 15, 2023

Mike Fonkert
Kansas Appleseed Center for Law and Justice
Written Testimony in Support of HB 2380
House Committee on Judiciary

Members of the House Committee on Judiciary:

Thank you for the opportunity to testify in support of HB 2380, which would modify and update our state's civil asset forfeiture laws in very important ways. Kansas Appleseed Center for Law and Justice is a nonprofit, nonpartisan organization dedicated to the belief that Kansans, working together, can build a state full of thriving, inclusive, and just communities. We use data, research, and direct work with impacted Kansans to guide our policy advocacy.

Kansas Appleseed supports HB 2380.

All Kansans deserve robust property rights and protections. HB 2380 is an extremely important step towards addressing Kansans' concerns regarding civil asset forfeitures in our state. This legislation would take numerous steps to strengthen due process protections for all Kansans and reduce the risk that an innocent person will have his or her property wrongfully seized. The requirement of a conviction in order to seize property and rules around returning property of those that have not been found guilty of a crime are essential steps to protecting the property rights of all Kansans. The thought of the potentially devastating financial impact that our current laws could have on any one of us is truly a terrifying prospect.

Perhaps even more terrifying is the potentially disparate impact of our current laws on people of color. Insufficient information is available about the use of asset forfeiture in Kansas, but analyses of asset forfeiture in other jurisdictions have shown disproportionate seizures of assets from people of color. The changes proposed in HB 2380, taken together, reduce the risk that asset forfeiture will be used disproportionately against people of color in Kansas.

Because all Kansans deserve due process and deserve a means to protect their property, Kansas Appleseed urges you to pass HB 2380 favorably.

Thank you for the opportunity to testify in support of this bill. For any further information, please contact me at mfonkert@kansasappleseed.org.