



**Testimony to the Senate Financial Institutions and Insurance Committee
Opposing SB395
February 15, 2018**

Chairman Longbine and Committee Members,

My name is Dennis Butler and I am the chief of police in Ottawa, Kansas where I have served in that role for more than 13 years. Before that I served another community as a law enforcement officer for 25 years in another state before coming in Kansas.

I am a member of the Kansas Association of Chiefs of Police and serve on the Legislative and Training Committees. Also, I am on the governing board of the International Association of Chiefs of Police.

The KACP members strongly oppose this bill due to the future negative affect it will have on law enforcement in this State. As a profession, we are experiencing a hiring and retention crisis. There are many reasons for this, but some are the same reasons that many other employers and business owners face; a shrinking labor force and lack of a sufficient number of qualified applicants to fill our ranks across the State. Encouraging experienced police officers and commanders to seek leadership positions will be undermined by an arbitrarily imposed cap on Final Average Salary (FAS) calculations that could be less than their actual final average salaries.

Some might argue that a \$99,000 FAS cap is not arbitrary but linked to the governor's salary. Our members fail to see any rational link between what the governor earns and what a police chief, sheriff or members of their command staffs final average salary calculations should be.

As previously mentioned, at a time when our profession struggles to attract and retain quality applicants one can only surmise that developing them into the kind of leaders communities both expect and deserve will be hampered. This challenge will be magnified when much of our profession is under increasing scrutiny and criticism from others who are uninformed and misled by others about police practices and procedures. I would think our citizens want the most experienced and well trained leaders in place to educate them and address legitimate concerns.

A few years ago, the legislature increased the maximum retirement for KP&F members to 90% of FAS. This bill seems to contradict what this legislation is designed to do. An unbiased outside observer (for the record I'm not one) could be confused about how free market principles are promoted in this red state unless of course the affected employees are devoted to a life of public safety service.

One might assume that this legislation will affect only a handful of large, urban departments. I don't have data at hand, but I guarantee you that this will affect many more departments, not just the ones in larger cities or urban areas.

My last comment is unrelated to this legislation but is connected to changes affecting law enforcement retirees seeking employment in KPERS jobs throughout our great State. Last year, I sat on a KLETC interview board for an academy instructor vacancy and they have still not filled the position due to the lack of qualified applicants. Based upon several anecdotal conversations with many staff members there and elsewhere I believe it is because of recent legislation that increased time limits under penalty of law requiring "quiet time" between retiring from LE and being hired into a KPERS job.

Again, I strongly urge you to not move this legislation forward; if you do the obstacles to develop and retain law enforcement leaders will become greater. I am an optimistic person by nature and I just can't believe that is what is intended.

Thank you for the opportunity to address you today. I will stand for any questions you may have.

Dennis Butler
Chief of Police
Ottawa PD