



Honorable Rick Wilborn  
Chairman, Senate Judiciary Committee  
The Kansas Senate  
Kansas State Capitol  
300 SW 10<sup>th</sup> Street, Room 541-E  
Topeka, Kansas 66612

February 10, 2017

Dear Senator Wilborn,

I wanted to share with you and the members of the Justice Committee, my personal testimony in support of SB136, and ask that you vote favorably in support of this Bill.

On Friday afternoon, August 22, 2014, around 5:20pm, while innocently walking by myself, my freedom was taken away from me by a local police department.

Within seconds, I was detained and told to sit on the curb of a very busy street during rush hour traffic.

Within minutes, I was surrounded by six police officers, handcuffed very tightly, fully searched for weapons, and placed back on the curb.

Within an hour, I was transported to the police headquarters, photographed, finger printed and put under a \$100,000 bail and accused of armed bank robbery and accessory to robbery.

Within an evening, I was publically humiliated, wrongly arrested, locked up, denied a phone call, denied an explanation of charges, denied being read my rights, and denied being able to speak to my lawyer in a reasonable time, all because I was mis-identified as the wrong "tall, bald, black male," fitting the description.

Coincidentally, just seconds before I was stopped, I was actually jogging because I was trying to get to my car to feed a parking meter, so that I would not get a ticket. If it had not been for a text message that I received, which slowed me down to a walk, I could have very well been running at the time the officer was making his way to me. We can only imagine, how things may have turned out if that would have been the case.

In the normal course of law enforcement during their job, mistakes are sometimes made. However, when those mistakes occur, it should not be incumbent upon the innocent person to have to bear the burden associated with those mistakes.

Currently, when someone is wrongfully arrested for mistaken identity, an arrest record is created, and will remain even if the person is released as innocent just hours later, as was the case in my particular situation.



That arrest record can impact a person's ability to get a job, secure a loan, a gun permit, a teaching license, sit for the bar exam, or a host of other items that could create long lasting problems in a person's life, all because, they were mistakenly identified and mistakenly arrested. Additionally, the indirect result of an arrest record could impede a person's ability to provide for their selves or their families.

The sad truth is that, many people that are wrongfully arrested due to mistaken identify, and then released as innocent, aren't even aware that they still have an arrest record. Like myself, once you are told you are innocent, and you are free to go, you just naturally assume that you would not end up with an arrest record, when you were innocently minding your own business and because of no fault of your own, you were mistakenly identified and wrongfully arrested.

I am pleased that Kansas joins twenty-one other states, since my wrongful arrest, to consider this piece of "#AutoErase" criminal justice reform legislation. Hopefully, with your support, it will join the four states (North Carolina, Illinois, Colorado and Rhode Island) that have already signed a #AutoErase Bill into law.

Respectfully submitted,

Charles Belk

Founder and Executive Director

Fitting The Description

*Wrongfully Arrested for Mistaken Identity, 8/22/14*

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Charles Belk falsely arrested on August 22, 2014.