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Testimony by Rev. Sarah Oglesby-Dunegan in support of SB360,
Regulating access to certain law enforcement audio and video recordings.

Good morning, Mr. Chairman, members of the Judiciary committee. My name is Rev. Sarah Oglesby-Dunegan, and I am the Board Chair of Kansas Interfaith Action. We are a statewide, multi-faith issue-advocacy organization that “puts faith into action” by educating, engaging and advocating on behalf of people of faith and the public regarding critical social and economic justice issues. I am here today in support of SB360.

This bill seeks to improve the accountability and transparency of government practices especially as related to the release of information in the public interest. Kansas has been criticized as one of the “darkest states” in terms of government transparency and many practices at many levels of government have contributed to this. From making printed KORA requests more accessible, to making audio and video KORA requests also accessible, to clearly communicating to cities when police body cam footage should be released and to whom, this bill brings clarity to some areas where local governments have interpreted current rules differently. Most glaringly, as you have heard from the family of Dominique White, clarity on the circumstances under which police body cam footage must be released to family and to the public and the timeline under which this should happen.

As a faith leader in Topeka working with other citizens on issues related to policing and community engagement in civic issues, I was appalled to find that Kansas law could be interpreted in Topeka to *not* allow body cam footage of a police shooting *that killed a citizen* to be released to the public until *after* the police, DA, and other entities had made final decisions about the criminal investigation related to it. In so many other cities and states it is understood that public scrutiny of police shootings and police brutality is a necessary check to power wielded by law enforcement and city government. City leaders and others abstained from comment because full knowledge of the situation was not available to them or to the public.

The public deserves access to body cam footage in these extreme cases because our democracy depends on a separation of powers. Police officers are not hired to investigate, arrest, judge, and sentence people. The goal of an officer should be a clean, safe arrest with clear charges. The rest is done by a judge and jury, with attorneys. When a death occurs at the hands of an officer, the family as well as the public have a right to know what happened and why. This should happen in a timely fashion; here in Topeka it took months rather than days, and came only as an addendum to a process cloaked from public scrutiny. Public trust in law enforcement is vital to the functioning of law enforcement.

I hope you will support moving this bill to the larger body of the Senate for discussion and vote. Thanks for your time and attention to these issues.