



Kansas Sheriffs' Association

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Testimony to the Senate Judiciary Committee In Support of HB2523

March 13, 2018

Chairman Wilborn and Committee Members,

The Kansas Sheriffs Association proposed HB2523 for the primary purpose of bringing the sheriff qualification statute up-to-date with the latest statutory requirements for all Kansas law enforcement officers. HB2523 covers the same main issues covered in 2014 SB348 and 2015 HB2022: 1) The lifetime disqualification for certain misdemeanor offenses such as minor in possession of alcohol and 2) Updating the training requirements to match the current standards in the Kansas Law Enforcement Training Act. The 2014 version of this bill passed the Senate (SB348) 40-0, which also passed this committee without amendment. This committee also passed 2015 HB2022. But neither reached a floor debate in the House.

Our core recommendation strikes the provision on page 1, lines 13-17 and replace them with a new provision found on page 2, lines 3-5. This change will eliminate a life time disqualification placed on sheriffs many years ago regarding misdemeanor convictions for alcohol, gambling and drug violations. Our prior recommendations in 2014 and 2015 was to simply remove this provision and follow the restrictions placed on every law enforcement officer in Kansas. That passed the Senate 40-0 in 2014. However, it never reached a floor debate or vote in the House. Because of discussions we had with members of the House committee in 2015, we have modified our proposal and suggest leaving them in the statute, but modify them with a look back rather than making them a permanent disqualifier. The House Committee amended this provision of the bill making the look back period five years. We support this change.

The remainder of the changes are merely making the provisions in KSA 19-802b consistent with amendments that have been made over the years in the Law Enforcement Training Act KSA 74-5601 *et seq.* These amendments were included at the request of the Kansas Law Enforcement Training Center and KS-CPOST.

The deleted language on education requirements on page 1, lines 11-12 are replaced with the provisions on page 2, lines 6-10 consistent with the current Training Act provision in KSA 74-5605(b)(4). New provisions are added relating to domestic violence convictions on page 1, line 36 through page 2, line 2 which is also from the current Law Enforcement Training Act.

The current provisions stricken in section 1, subsection (b) on page 1, lines 18-35 are replaced with the new provisions on page 2, lines 11-37 at the request of the Kansas Law Enforcement Training Center and KS-CPOST. It clarifies the provisions on training or testing requirements for newly elected sheriffs with varying levels of the elected sheriff's law enforcement certification status. This will bring the training for the sheriff in line with all other Kansas law enforcement officers. These amendments do not reflect any substantive change in practice, but again provide consistency with the Training Act.

We respectfully request you recommend this bill favorably for passage.

Sandy Horton, Sheriff-Retired
Executive Director