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**Testimony to the Senate Judiciary Committee
In Support of HB2648
March 21, 2018**

Chairman Wilborn and Committee Members,

Our associations support HB2648 as amended by the House Committee. This bill fixes an inconsistency in sentencing when an offender is convicted of assaulting or battering a federal law enforcement officer.

It is important to note this bill does not extend any new authority to federal law enforcement officers. It only affords them the same treatment as victims of the state statutes on assault or battery to a law enforcement officer as local and state law enforcement officers are afforded.

On a daily basis across Kansas, federal, state and local law enforcement officers work together in task forces or other enforcement activities that often involve enforcement of state law and federal law. The most common of these joint operations is work with the US Marshal's Service in serving arrest warrants for violent crimes. Many times, these are arrest warrants for state crimes.

We have encountered several cases where the federal and state prosecutors have agreed to pursue assault or battery cases against federal officers in state court. This is often the result of an attack on multiple officers that include both federal and state or local officers in the same operation. We are finding that federal and state prosecutors work together in the filing of these cases and on occasion want to keep the cases together in the state court. This is when there are both federal and state/local officers victimized in the same case.

The issue being fixed by this bill is the one severity level enhancement that applies to state and local law enforcement officers does not apply to the federal officers. This is because federal officers are excluded from KSA 21-5412 subsection (c) and similarly from several subsections of KSA 21-5413. The bill fixes this by adding language in both statutes to include federal officers as defined in KSA 21-5413 (see page 6 lines 36-38). The insertions in KSA 21-5412 and 21-5413 are found on page 1 lines 23-25; page 2 lines 41-43; page 3, lines 16-18; and on page 4 lines 5-7, 22-24 and 38-40.

These federal law enforcement officers are as much our partners in keeping our communities safe as our partner state and local agencies. Their level of risk is the same of ours while performing those duties. We believe the amendments offered in this bill are the right thing to do and will provide them the same level of justice as the state and local officers they work beside.

We encourage you to move this bill favorably for passage.

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