



Testimony on HB 2695

Submitted To

The Senate Judiciary Committee

By

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The Kansas Department of Corrections (KDOC) would first like to thank the Chairman and members of the Committee for considering HB2695 and for including this bill on the list of important policy matters before this body.

As a Department, we seek your consideration of this proposal based upon the need to have highly qualified Enforcement, Apprehensions & Investigations (EAI) field special agents in their service to our fellow Kansans and to have those agents recognized for their work which in many ways' mirrors that of other law enforcement officers. The Law Enforcement authority of KDOC is addressed in multiple statutes including, K.S.A. 22-2202(m), 75-5247a, 21-5111(p)(2) and 21-5227.

If I may, I'd like to briefly explain some of the work of our EAI special agents.

Our EAI is organized into two groups, one group are field special agents located in parole offices and the other are investigators located at our correctional facilities. This proposal focuses upon the field special agents who conduct criminal and administrative investigations of departmental employees, contract staff, and volunteers and work closely with our Parole staff to provide supervision and field contacts in higher risk cases.

In carrying out these duties our special agents conduct interviews with victims, witnesses and suspects to obtain relevant case information in accordance with rules of evidence and applicable warnings of rights. They collect and preserve documents and related evidence relevant to investigative cases maintaining an established chain of custody. They also prepare appropriate administrative and investigative reports necessary for prosecution and confer with prosecutors for preparation and presentation of evidence in courts of law and other legal proceedings in order to obtain subpoenas, search and arrest warrants. They also appear and testify in administrative and legal proceedings.

Field special agents also establish and maintain relationships within the law enforcement community to further the public safety interests of our citizens. This is necessary for the safety of our staff and facilities and is mutually beneficial to other law enforcement agencies.

One current example is our field special agents who are assigned to the Field Units in Wichita, Topeka, Kansas City and Hutchinson work with the U.S. Marshal's Office Fugitive Task Forces. The U.S. Marshal's Office Fugitive Task Forces are comprised of officers not only from our agency, but also other law enforcement agencies in the State of Kansas. They provide assistance to our agency in locating our parole violators and absconders. By virtue of being on a Task Force it gives us additional resources in readily available manpower, technology and training. They also provide support by way of funding of overtime and some assistance with vehicles. It also allows us to use their resources in arresting our violators/absconders located outside the boundaries of the State of Kansas.

In order to work in partnership, our field special agents are required, prior to assignment to the U.S. Marshal's Fugitive Task Forces, to have completed a law enforcement academy. This parallels our own training requirements, however in the over two decades that the KDOC has had EAI (or similar named functions) as a part of our workforce, we have always worked with local law enforcement agencies who have included our new field special agents in their existing law enforcement training academies. However, they were still not able to certify them due to the fact that they were not covered under the current version of the law. We have never had a capacity to provide our own training for these employees.

While this has functioned for the Department and our stakeholders, HB2695 will provide three primary benefits if enacted by the Kansas Legislature.

First, today some of our EAI field special agents come to KDOC as certified law enforcement officers, but under current law after a period of five years of employment with KDOC they cannot retain that certification. This decertification is not due to lack of training or different skills, they in fact, due to relationships with law enforcement agencies who allow them to attend, attend the same training as peers in other law enforcement agencies. However, they are not able to be awarded certificates for attending those trainings. Being able to first be certified and then recertified like their peers in law enforcement is viewed as being beneficial to the law enforcement community, and to recruiting and retention of EAI special agents.

Second, it will formally recognize and correct a gap in current public policy in Kansas which does not afford or define training requirements for EAI field special agents within KDOC. It has only been through internal practices of the KDOC that we require our employees to have the same skills as other law enforcement officers. This policy change would make that a formal requirement in law.

And finally, this will ensure KDOC access to training provided by the Kansas Law Enforcement Training Center (KLETC).

I would also like to advise that we have been verified with KLETC that we will not be charged, and thus they would not generate the revenue of \$9,119, that are listed in the Fiscal Note.

Thank you for considering HB2695.

Thank you