



To: Members of the Kansas House Judiciary Committee
From: Kerry Gooch, Kansas Black Leadership Council
Re: Kansas Black Leadership Council Proponent Testimony for House Bill 2495
Date: January 25, 2022

Chairman Patton and members of the committee:

Thank you for the opportunity to offer proponent testimony on House Bill 2495. My name is Kerry Gooch and I am testifying on behalf of the Kansas Black Leadership Council.

The Kansas Black Leadership Council (KBLC) was founded ten years ago to be the coalition in Kansas that unifies the voices of Black organizations through the Kansas to the legislature. You might know us best for hosting Black Legislative Day each year in the Capitol.

The KBLC is a strong proponent of House Bill 2495. House Bill 2495 would help to strengthen the vitality and breadth of civil society in the state. It would uphold a key right of charitable members and donors to keep their giving private if they wish. There are a myriad of reasons Kansans may choose to keep their donations private including, but not limited to privacy concerns, religious convictions, and fear of harassment or retaliation.

Fear of harassment or retaliation is why many members choose to give anonymously to many causes, especially within the African American community.

Aside from the issue of harassment, many philanthropists prefer to keep their donations private, preferring to keep the attention on the cause they support. The late singer, Prince, was quietly charitable. A Harlem non-profit organization for inner-city children living in poverty received one million dollars from him.¹

¹ *5 of the most secret charitable stars ever*, Smooth Radio 97-108 (Jan. 21, 2022)
<https://www.smoothradio.com/features/most-charitable-celebrities-singers-secret/>

In-state, Kansans are extremely charitable. After a local teen started a petition to improve the Santa Fe Skateboard Park in Emporia, it caught the eye of a Kansas family. They made an [anonymous donation](#) of \$250,000 to improve the skateboard park with the hopes of making the community better.² Recently, the Barstow School in Kansas City which serves students from Johnson County and around the metro, received a 7.5 million gift from an individual who wishes to [remain anonymous](#).³ And this past holiday season right here in Topeka, the Salvation Army had an [anonymous donor](#) agree to match every \$20 bill dropped in their red buckets up to \$5,000 to help the organization get to their fundraising goal.⁴

There's no shortage of giving and many donors prefer to give anonymously. In 1958, the Supreme Court ruled that the State of Alabama could not force the NAACP to turn over its membership list or donor list without violating the First Amendment.

House Bill 2495 will ensure charitable organizations can continue to keep their members' information private. The bill prohibits public agencies from disclosing or releasing personal information about membership, volunteers, and financial and non-financial donors of nonprofit organizations, except as required by law. Forced disclosure would chill charitable giving and threaten all the good work charitable organizations do for the Kansas community.

America has an independent and robust civil society unlike that of any other nation. The vitality of civil society is the long-accepted norm that anonymous giving for philanthropic and civic purposes, and that norm should be protected in all but a very few narrow circumstances.

I encourage you to advance House Bill 2495. Thank you for your time today and I am happy to answer any questions.

- **Kerry Gooch**

² *Anonymous \$250,000 donation making Emporia teens' skate park dreams come true*, KSNT (Jan. 21, 2022)
<https://www.ksnt.com/news/local-news/anonymous-250000-donation-making-emporia-teens-skate-park-dreams-come-true/>

³ *The Barstow School receives \$7.5M donation, its largest gift ever – here's what it will pay for*, Shawnee Mission Post (Jan. 21, 2022) <https://shawneemissionpost.com/2021/12/14/barstow-school-7-5m-gift-138072/>

⁴ *Topeka's Salvation Army creates a challenge to achieve its goal*, WIBW (Jan. 21, 2022)
<https://www.wibw.com/2021/12/09/topekas-salvation-army-creates-challenge-achieve-its-goal/>