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**Testimony to the Senate Federal and State Affairs Committee
Opposing SB200 – Opening Certain Missing Persons Reports**
March 8, 2017

Chairman LaTurner and Committee Members,

We recognize the difficulties families face with unresolved cases, especially those of missing or murdered relatives. These are not easy cases to determine when we make more information available from the investigation or exactly what information should be released. Our associations must oppose SB200.

The committee should also know that we have been in contact with the agency in charge of the investigation of the case which led to this bill. We are not authorized nor do we possess the overall case information necessary to speak to the specific case, but we do possess enough information to be convinced that even if this bill were to pass it is doubtful the case would meet the criteria of the bill to require release.

It is risky to go down the path of opening all records of missing persons or any other investigation based simply on the age of the case. There are many other factors that must be considered or we may unintentionally jeopardize a criminal investigation. As forensic science develops and new processes come into use we are finding more and more cold cases solvable. While we do not know if that would be true in the case in question, we know we are clearing cases today that were long ago thought unsolvable.

The opening of law enforcement investigative reports without judicial review, which this bill specifically removes from the release process of the targeted reports (See page 4, lines 21-22), and without the ability to redact some information from the report, the release can be very harmful to many people. This can include witnesses that have come forward and cooperated in the investigation and it can include information that would be embarrassing to the victim or their family that was uncovered in the investigation. They can be harmful to others as many leads come in that are very accusatory of individuals who are later proven to be not involved. It is easy to see the damning information in lengthy reports and to not see the clearing information that may be many pages removed from the original information proven to be false. Under the provisions on page 1 lines 31-33 the release of the clearing information would be excluded if it developed in the past 15 years. These reports commonly contain very embarrassing and sensitive information to innocent people contacted during the investigation.

While we understand it would be easy to conclude passing this bill would be the right thing to do for one family, we cannot be sure that is the case and we are convinced it is not the right thing to do in the broader picture. **In our opinion, far more Kansans could be harmed by this bill as written than the one family it is designed to help.**

We close by pointing out the existing law, which you can see starting on page 3 line 41 through page 4 line20, allows for release of these reports upon a judicial review if certain criteria are met.

We strongly encourage you to not move this bill forward.

Ed Klumpp
Legislative Liaison