

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

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PAT PROCTOR

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LEAVENWORTH, FORT LEAVENWORTH & KICKAPOO

February 6, 2023

Representative Ronald Ellis
Chair, House Committee on Veterans and Military

Mr. Chairman:

Thank you for allowing me to appear in opposition to House Bill 2211, relating to establishing the office of homeland security within the adjutant general's office and prescribing powers and duties thereof.

I believe HB 2211 would create significant issues regarding the separation of powers and protection of civil liberties in Kansas. Law enforcement and military are inherently different in their tasks, method, and priorities. This proposal risks blurring the lines between the two essential but very different functions of our National Guard and civilian law enforcement. Our founders understood the importance of limiting the military's involvement in domestic law enforcement. Surveillance of the public in their daily lives by law enforcement is already excessive. The prospect of further abuse of Kansans' Fourth Amendment rights by the military in the name of homeland security is deeply troubling.

Kansas is not the federal government. In the federal government, the President of the United States appoints the heads of every executive department, including law enforcement officials. In Kansas, the voters select their attorney general, the senior law enforcement officer in the state. He, in turn, appoints the heads of the Kansas Bureau of Investigations and Kansas State Highway Patrol. This separation of powers between the Governor and State law enforcement is essential because state and local law enforcement has so much more power over the daily lives of citizens than does federal law enforcement. HB2211 ignores this distinction.

And, finally, the federal Homeland Security Department, Department of Justice, and Federal Bureau of Investigation are currently embroiled in a controversy over their weaponization and politicization to attack the President's political opponents. Why would we invite these same controversies in Kansas? We already have a fusion center and law enforcement arms responsible for the mission this Kansas Homeland Security Department would purportedly assume. They would be, at best, redundant and, at worst, harmful.

Thank you for the opportunity to speak before the committee.

Sincerely,

Pat Proctor

State Representative

Kansas House District 41