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**Testimony to the Senate Corrections and Juvenile Justice Committee  
In Support of SB13  
January 27, 2015**

Chairman Smith and Committee Members,

This bill is a follow-up bill to HB2041 passed in 2013. Last year we attempted this same fix in HB2502 which passed the House 123-0 with no amendments and was passed out favorably by the Senate Judiciary Committee without amendment. However, it did not get above the line for debate on the Senate floor.

The reason for this follow up bill to 2013 HB2041 is for further clarification that the release of prisoner status information is exempted from the statute defining criminal history record information. This is necessary to permit victim notifications on release and other status changes of a prisoner.

This issue came to us in 2013 from the Sedgwick County Sheriff's Office when the county's legal team opined they could not release certain information even for victim notification because such information was then protected by statute as criminal history information. HB2041 was intended to fix that, however, when the Sedgwick County legal staff reviewed what passed in 2013, they were troubled by the word "defendant" opining this only fixed it after the person was formally charged. We believe they are correct and offered to pursue this legislation in an attempt to correct the matter of concern.

In municipal victim notifications, the primary time of concern is near the time of arrest. The formal charge may not be filed until days or even weeks later. But when the accused bonds out of jail there is a significant frequency of the person again making contact with the victim, even with bond restrictions placed on them. There is an even higher frequency of the victim being fearful of their safety not knowing if the person is still in jail or not. As a result it is of great interest to public safety to allow victim notification on release or other status changes not only after the formal charges are filed, but also after an arrest is made by law enforcement and prior to the time of the formal charges. We also recognized there are other status changes besides release from jail that warrants victim notification to support their safety and peace of mind, including being placed on work release.

To that end, this bill proposes the amendments on page 1 lines 26-28 which will allow the release of any status change including release, placed on work release, or any other change that can affect the victims' safety or peace of mind.

We have vetted this thoroughly with the Sedgwick County legal staff and have been assured this addresses their concerns. We have also vetted this with the Department of Corrections to make sure it does not create any conflict or problems with their operations. And finally we vetted it with the KBI to assure it didn't interfere with their criminal history records requirements.

We seek your favorable recommendation of this bill for passage. Please also consider placing it on the consent agenda.

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