



To: Senate Corrections and Juvenile Justice Committee

From: Eric B. Smith, Legal Counsel

Date: January 29, 2015

RE: Opposition to SB 18

I want to thank Chairman Smith and the Committee members for allowing the League of Kansas Municipalities to testify today and express our opposition to SB 18.

The League does not oppose the use of body cameras by law enforcement officers in fact, many of our members already use the devices. We do object to the mandate that SB 18 creates with no funding provided to meet the mandate. In the process of gathering the requested information for the fiscal note for SB 18 we have heard from many of our members who already have the cameras in place or are considering them. What we found was that the cost associated with the cameras was a range of \$800 to \$1,200 dollars per officer and will vary by the quality of equipment and the choice of storage.

In addition to the unfunded mandate of SB 18 the League must oppose the establishment of a presumption of guilt if a video is not available. The storage of video collected by law enforcement should be a local decision established by the adoption of policies that meet local needs. SB 18 creates the need to store hours and hours of video that would serve no purpose other than expend taxpayer dollars for storage costs.

The League would support an exemption from the Kansas Open Records Act for most videos collected by body cameras. There are portions of SB 18 that attempt to address this issue and the League would be more than happy to participate in exploring an equitable solution to the public's right to information and an individual's right to privacy. We would support a separate bill that would assure privacy rights and at the same time be sure that providing video to the public does not become a drain on local government budgets.

In summary the League opposes the mandate of body cameras without corresponding funding as well as the mandate of how and when video will be used and saved. How or if video is used is a local issue and any decisions concerning it should be left to local government to make.

Based on the above concerns the League of Kansas Municipalities respectfully requests that the Committee **not** pass SB 18 out to the full Senate.