



Kansas County & District Attorneys Association

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To: Chairman Wilborn and Members of the Senate Judiciary Committee

From: Kim T Parker, Prosecutor Coordinator: Kansas County and District Attorney's Association

Date: March 14th, 2019

Re: Proponent Testimony House Bill 2191

Good Afternoon Chairman Wilborn and Honorable Committee Members,

Thank you for the opportunity to provide testimony to urge the passage of HB2191. I am addressing you on behalf of the Kansas County and District Attorney's Association and the many Kansas prosecutors they represent.

This important piece of legislation is introduced to you by our association. This measure narrowly amends K.S.A. 22-2503 as it concerns the ability to allow the transfer of electronically stored information lawfully seized by a Kansas court ordered warrant, anywhere inside or outside the State of Kansas for further examination and review. This proposed amendment is the product of input, evaluation and consideration of specially selected committee of Kansas prosecutors and Kansas law enforcement who daily work recovering evidence of crime that is stored electronically. Evidence of child pornography, sexual exploitation and abuse, fraud, financial crimes, internet crimes, and violent crimes are frequently found stored electronically on devices or media. The demand for timely and specialized recovery is high. Kansas law enforcement agencies including the KBI currently operate to meet this high demand, however, Kansas law enforcement especially those in the north eastern part of Kansas daily rely on the Heart of American Regional Laboratory located in Kansas City Missouri. Heart of American Regional Computer Forensics Laboratory (RCFL) is part of a national program established by the FBI in 2002 to assist law enforcement agencies around the nation in providing technical assistance training and examinations of digital evidence in support of criminal investigations. These regional laboratories combine the talents and experience of federal, state, and local law enforcement agencies to conduct impartial examination of submitted electronically stored information consistent and within the confines of lawfully court ordered search and seizure warrants.

In some instances, specialized laboratories located outside the state of Kansas are the only labs that have the capability to open examine and review certain devices, media or digital programs so that crime evidence can be recovered pursuant to the court ordered warrant.

We urge the passage of this amendment and request its adoption upon publication.

Respectfully Submitted

Kim T Parke

Prosecutor Coordinator

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