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**Testimony to the House Corrections and Juvenile Justice Committee  
Neutral Testimony on HB2027**

January 20, 2021

Chairman Jennings and Committee Members:

Our associations have opposed bills similar to this in the past when they proposed changing to lower penalties for tampering with a monitoring device. However, we are remaining neutral on the position in light of the consistency presented with the penalties of the escape statute.

While we understand the concerns with the present severity levels, our associations are concerned with people who remove or disable their tracking devices while on pre-trial release, probation, or parole. We believe the people of Kansas has extended these people an opportunity to avoid incarceration based on a trust they will abide by their conditions. Those who intentional disable or remove tracking device are breaking that trust, and most likely for devious reasons. This is especially troubling in cases of stalking and domestic violence where we have seen cases where those on pre-trial release or probation continue to terrorize and even assault or kill their victims while on release. These concerns are highest with the reduction to misdemeanor levels for certain crimes.

**AMENDMENT CONSIDERATION**

We ask the committee to consider amending the bill for misdemeanor cases to create a felony offense for second and subsequent offenses when the monitoring device was in place based on a person misdemeanor, or in the alternative when the monitoring device was in place based on a domestic violence or stalking misdemeanor.

As you consider this bill, we ask you to think not just of the damage to the equipment, but also of the underlying motivation to damage the device and how that balances with concerns for public safety, including the safety of victims and witnesses.

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