



Good morning Mr. Chairman and members of the Committee I'm Brian Gregory. I am the news director of KWCH/KSCW and KDCU in Wichita. We cover a majority of the state of Kansas on-air and online. I thank you for the opportunity to speak today and address information we received through a Kansas Open Records request from Kansas CPOST that allowed us to investigate a concern many Kansas communities -- your constituents -- are facing. I'll also take time to address potential roadblocks in getting access to that same information in recent months.

I'll begin with an almost-one year investigation that turned into two FactFinder12 reports that aired on KWCH in March and May of 2016. We had long discussed an investigation into police officers who were either fired or terminated by one department and then hired immediately by another department. However it wasn't until 2015, after a Kansas Bureau of Investigation raid in Halstead, and reports that the KBI was probing misdoings by the police chief that we decided to take the next step.

So in late 2015 we filed a KORA request with Kansas CPOST to get any "Notice of Termination or Status Change" forms for Halstead Police Chief Steve Lewis. It gives information about why an officer was terminated from a job in law enforcement. The KORA request was answered and the documents we asked for were fulfilled without any major problem. What we found surprised even us. Chief Lewis had been fired three times by other law enforcement agencies in the state of Kansas before he was hired by Halstead. In fact, he had been fired twice by the same department -- Hugoton Police.

We also filed a KORA request seeking "Notice of Termination or Status Change" for the officers who served under Chief Lewis. Each of them had been fired or resigned under suspicious circumstances. After our first investigation aired we got hundreds of comments on our Facebook feed, most of them positive. Many people thanked us for asking the tough questions and getting answers. Other people told us there were other departments in the state that had similar issues with hiring police officers who had been fired or resigned under suspicious circumstances.

We wanted to press this issue further, and take the next step to try to get answers that could be beneficial to viewers who lived in other communities. Filing KORA requests to CPOST for every department in the state would be as time consuming for us as fulfilling those requests would be for CPOST. So we widened our investigation to focus on background checks. We wanted to know "are background checks being completed on new hires to Kansas police departments, specifically Halstead?" And if they are, what types of records are being checked, what kinds of sources are being contacted, and what information is being sought.

That was the subject of our May FactFinder12 investigation. We found out that Halstead did very little backgrounding of officers. If they had they would have found what we did from CPOST. Information that would one could think would have at least prompted concerns from those in charge of hiring. We were also able to confirm that 12 officers fired in 2015 in the state of Kansas were already rehired by other



departments by the time our piece ran in May. This valuable information was able to be researched and developed because of the open access the public had to the valuable information gathered by CPOST.

We next filed a KORA request with CPOST in December of 2016 shortly after the arrest of Valley Center Police Officer Thomas Delgado on suspicion of sex crimes. Specifically we received additional information from family members of a possible victim that Officer Delgado had allegedly sexually assaulted his daughter during a ride-along in 2011 when Delgado was a Sedgwick County Sheriff's deputy. We also wanted to know what, if anything about that incident should or could have been uncovered through a background check before he was hired in Valley Center. We filed the request for any "Notice of Termination or Status Change" forms regarding Thomas Delgado on December 9<sup>th</sup>.

When CPOST fulfilled the KORA request we found their response had key redactions. While they did not redact that Delgado had in fact been terminated from the Sedgwick County Sheriff's Office in March of 2014, anything pertaining to the reason for termination were redacted. The same information Kansas CPOST had provided us un-redacted during our Badge to Badge investigation in 2015/2016. We contacted our attorney who sent a letter to CPOST's attorney asking them to immediately release the records we had sought. CPOST's attorney said that based on a further review of the facts and that most of the information had already been widely disseminated, the records we sought on Mr. Delgado would be released. We had our information.

A success, however one that forced KWCH to spend substantial dollars to retain counsel to gain access to the information that previously had been provided with no issues by Kansas CPOST.

I truly believe that 99% of police officers are good people. They follow the law and they are of the utmost importance in our community. They go in to dangerous situations when the rest of us run away.

This legislature has consistently worked to make sure our government is more open and more transparent. This bill seems to be a step backwards. I hope you can use your power to change that.

Thank you for your time.

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