

# State of Kansas

## Senate Chamber

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### Testimony on Senate Bill 360

Amending open records laws relating to copies of public records and disclosure of law enforcement recordings using a body camera or vehicle camera.

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Good morning Mr. Chairman and fellow members of the Senate Judiciary Committee. I stand before you in support of SB 360.

In January, 2015, I listened to two days of testimony on SB 18, a body camera bill. Many spoke as proponents and opponents, citing a multitude of reasons. I still have that very thick folder, filled with factoids and opinions about the use of body cameras and whether anyone other than law enforcement agencies should have access to any of the camera recordings. I also have the folder from my personal research on the use of body cameras and access issues associated with their recorded data.

Three years later usage has increased across our state, without the need for a legislative mandate. What hasn't been resolved, however, is non-litigious access to recorded data by family members, community patrons, and members of our "fourth estate." That is why SB 360 is before you today.

The first "true" study on the impact of body cams on behavior was conducted in Southern California by the City of Rialto Police Department. They found body cams reduced use-of-force incidents by 59% and a reduction of citizen complaints by 87.5%. Impressive!

During our hearings in Kansas back in 2015, we learned that the Kansas Highway Patrol performed more than 404,000 stops, for which there were 60 complaints filed. With the use of "Watchguard" technology that was used by every trooper, 12 complaints were found to be substantiated. I'm still impressed by this data!

There seemed to be agreement three years ago as to the benefits of body cams: increased transparency, improved police officer behavior, improved citizen behavior, expedited resolution of complaints, improved evidence for arrest and prosecution, and opportunities for police training. Concerns were more focused on citizen and officer privacy, officer safety, training requirements, data storage, and policy requirements.

To be clear, SB 360 is intentionally very narrowly focused. It comes into play in the instance of the discharge of a firearm by a law enforcement officer or the use of force by a law enforcement officer that results in great bodily harm or death.

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Having talked with community members impacted by law enforcement encounters, county attorneys, and law enforcement leaders, I believe there may be appropriate opportunities for amendments to this bill. **I do not believe, however, that there is margin to wait indefinitely before we provide consistency, from one jurisdiction to another within Kansas, on when a family or a community has access to vital body camera data in the prescribed circumstances of SB 360.**

Respectfully submitted,

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