



Kansas Bureau of Investigation

Tony Mattivi
Director

Kris W. Kobach
Attorney General

Before the House Corrections and Juvenile Justice Committee
Bob Stuart, Executive Officer
Kansas Bureau of Investigation
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Chairman Owens and members of the Committee:

The Kansas Bureau of Investigation (KBI) supports HB2487. The fentanyl crisis in Kansas (and nationwide) continues to worsen. Director Mattivi has often stated that enforcement is not enough. While the KBI has prioritized and dedicated significant resources to the Fight Against Fentanyl with the Joint Fentanyl Impact Team (JFIT) which includes four K9 teams trained in the detection of Fentanyl and other dangerous narcotics we concur with the spirit of this bill. Encouraging on scene help and cooperation in drug overdose emergencies will help save lives.

Promoting said cooperation and on scene assistance via immunity from arrest and prosecution is an excellent tool but must be carefully adapted into law as we would not support a law that impinged on investigations regarding the manufacture and distribution of drugs. To that end, the KBI joins with the testimony of the Kansas Association of Chiefs of Police, The Kansas Sheriffs Association and the Kansas Peace Officers Association in that our support hinges on three conditions remaining in the bill and one amendment.

1. Immunity cannot be given for violations of drug distribution or manufacturing laws and can only be provided for violations of simple possession crimes.
2. The person seeking immunity from arrest/prosecution must have been directly involved in providing care for the person suffering a medical emergency or notified 911 or emergency responders of same.
3. The person seeking immunity must remain at the scene and cooperate by providing relevant information upon query of the emergency responders.

The amendment we suggest would regard subsection (b)(1) on page 2 lines 4 and 6 by limiting immunity for a violation of KSA 21-5709 subsection (b) to only include subsection (b)(2) of KSA 21-5709. Subsection (b)(1) deals with paraphernalia use to manufacture or distribute a controlled substance, which we believe should not be included in immunity.

Thank you for the opportunity to provide testimony to the Committee as it considers HB2487. We encourage Committee support of this bill with the suggested amendment. It takes partnership and

mutual support of our entire professional communities to address the continued scourge of fentanyl.

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