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Chair Humphries, Vice-Chair Lewis, Ranking Member Highberger and members of the committee,

My name is Noah Bein, and I am a state policy manager for the Justice Action Network (JAN), an organization working with state legislators across the country to advance bipartisan criminal justice laws. We support lawmakers like yourselves interested in enacting bipartisan justice reform laws that improve lives and protect the safety of the public.

I am writing in support of Senate Bill 458. This legislation takes important steps toward curbing the government's practice of seizing its citizens property when those citizens have not been convicted of a crime.

As the committee undoubtedly knows from prior testimony and discussion on this issue in recent years, the vast majority of civil asset forfeitures in Kansas are for very small amounts of money. The average sum taken is just a few thousand dollars, with a large share of seizures valued at much less. For so many Kansans, the cost of getting their property back exceeds the value of the property itself, rendering meaningless the current process for reclaiming what was lost to the government. In addition, data show that it takes legally innocent Kansans an average of 413 days to get their property back, an egregiously long time, especially for those to whom a few hundred dollars might make the difference between making rent or losing their home.

We ask that you support this legislation to begin to address these problems. JAN supports full elimination of civil asset forfeiture, as the Nebraska legislated in 2016. Barring that, we support a requirement that someone be found guilty before the government can take what a person owns, as 16 states like Missouri and Arkansas have done. However, this legislation is an important step forward and will provide hope and due process to Kansans who are trying to recoup property that has been taken from them by the government.

Sincerely,

Noah Bein  
State Policy Manager  
Justice Action Network

Justice Action Network Testimony on Senate Bill 458  
March 12, 2024