



Kansas County & District Attorneys Association

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February 14, 2011

**Testimony Regarding SB 73  
Submitted by Patrick Vogelsberg  
On Behalf of the Kansas County and District Attorneys Association**

Mr. Chair and members of the Senate Judiciary committee:

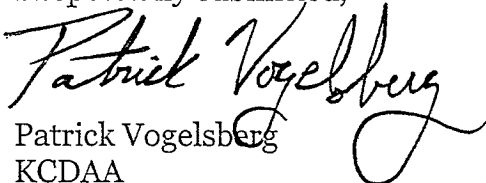
The Kansas County and District Attorney Association (KCDA) is in support of SB 73. This bill confines a defendant's access to the illegal materials described in subsection (a)(2) of section 74 of chapter 136 of the 2010 Session Laws to a manner that is appropriate considering illicit nature of the material.

Subsection (a)(2) of section 74 of chapter 136 of the 2010 Session Laws provides that this materials is a, "[...] visual depiction of a child under 18 years of age shown or heard engaging in sexually explicit conduct with intent to arouse or satisfy the sexual desires or appeal to the prurient interest of the offender or any other person."

It would be bad policy to freely hand these materials back to the defendant with no restrictions on use and SB 73 prevents that policy. Further, SB 73 addresses concerns regarding a defendant's access to evidence by making the materials reasonably available for viewing and examination at a secure location.

The KCDA stands with the Attorney General in supporting SB 73 and asks that the committee pass the bill out favorably.

Respectfully submitted,

  
Patrick Vogelsberg  
KCDA

Senate Judiciary

2-14-11  
Attachment 6