

Senate Judiciary Committee – Senate Bill 41

February 1, 2017

Kansas Association of Criminal Defense Lawyers

Neutral, Written Testimony Only

Chairman Wilborn and Members of the Committee:

The Kansas Association of Criminal Defense Lawyers (KACDL) is a 350+ member organization dedicated to ensuring justice and due process for persons accused of crime or other misconduct.

SB 41 seeks to add the crimes of assault and battery against public transportation employees to K.S.A. 21-5412 and 21-5413. KACDL is concerned about the lack of any language specifying that the public transportation employee must be “engaged in the performance of such employee’s duty”. For the other special categories created by these statutes, such as judges, attorneys, court services officers, and law enforcement, the statutes specify that such person must be engaged in the performance of their official duty.

KACDL does not intend to weigh in on the advisability of adding public transportation employees to these statutes; however, if the committee recommends adopting this bill, KACDL would encourage the committee to add in the language that public transportation employees be engaged in the performance of their official duty.

Thank you for your consideration,

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