

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Senator Vratil at 10:02 a.m. on February 8, 2002 in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Gordon Self, Revisor
Jerry Donaldson, Research
Mike Heim, Research
Mary Blair, Secretary

Conferees appearing before the committee:

Julienne Maska, Victim's Rights Coordinator, Office of Attorney General (AG)
Sandy Barnett, Kansas Coalition Against Sexual and Domestic Violence (KCSDV)
Becky Dickinson, Battered Women's Task Force
Ron Nelson, Attorney, Rose, Nelson & Booth, Overland Park, Kansas
Laura Patzner, Crisis Services, Great Bend, Kansas

Others attending: see attached list

The minutes of the February 7th, 2002 meeting were approved on a motion by Senator O'Connor, seconded by Senator Umbarger. Carried.

SB 474—protection from stalking act

Conferee Maska testified in support of **SB 474**, a bill which would create legislation to protect Kansans from stalking. She stated that the bill would allow victims of stalking to obtain a protection order against the stalker and a court hearing would be held 20 days from the date of filing the petition. She discussed provisions for issuance and enforcement of protection of stalking orders.([attachment 1](#))

Conferee Barnett testified in support of **SB 474**. She provided statistics on stalking, described stalking behavior, and referenced several stories about stalking victims attached to her written testimony.([attachment 2](#))

Conferee Dickinson testified in support of **SB 474**. She illustrated the need for this bill by sharing two composite stories about stalking victims.([attachment 3](#))

Conferee Nelson testified in opposition to **SB 474**. He discussed how the language in the bill is not carefully drafted and how it "injects the potential for serious misuse of statutory procedures."([attachment 4](#)) During discussion, the conferee agreed to draft a balloon amendment and present it at the next meeting scheduled on **SB 474**.

SB 475—protection from abuse; re: intimate partners or household members

Conferee Maska testified in support of **SB 475**, a bill which amends the Protection from Abuse Act to include intimate partners, household members, and persons in dating relationships as individuals who may apply for protection from abuse orders. She discussed how the bill clarifies the issuance of mutual orders and further discussed the requirement that all orders of protection be entered into the National Criminal Information Center (NCIC) Protection Order File. (see [attachment 1](#))

Conferee Barnett testified in support of **SB 475**. She discussed the bill's amendments and stated that the primary goal of the bill is to create "accessibility" for the victims and provide law enforcement with a tool to enforce the protection from abuse law.([attachment 5](#))

Conferee Patzner testified in support of **SB 475**. She shared a composite story from her files as a counselor to victims of abuse and briefly discussed the amendments to current law especially with regard to the exclusion of any mutual order which she stated sends the wrong message to the victim.([attachment 6](#))

Conferee Nelson testified in opposition to **SB 475**. He stated that the language in the bill is ambiguous and difficult to understand, expands the law and provides opportunity for misuse of the system for filing of protection from abuse actions.([see attachment 4](#))

Written testimony supporting **SB474** and **SB475** was submitted by the Kansas Women Attorneys Association.([attachment 7](#))

The meeting adjourned at 11:04 a.m. The next scheduled meeting is Monday, February 11, 2002.