

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Ward Loyd at 1:30 p.m. on February 5, 2004 in Room 241-N of the Capitol.

All members were present except:

Representative Dale Swenson- absent
Representative Eric Carter - absent

Committee staff present:

Jill Wolters, Revisor of Statutes Office
Jerry Ann Donaldson, Legislative Research Department
Connie Burns, Committee Secretary

Conferees appearing before the committee:

Senator Nick Jordan
Representative Brenda Landwehr
Candy Shively, Deputy Secretary SRS
Steve Solomon, The Farm
Brenda Sharp, Sunflower House
Sue Lockett, Prairie Advocacy Center
Kathleen Inwood, SOS
Ron Paschal, Attorney Sedgwick County
Sarah Robinson, Wichita Children Home
Mike Jennings, KCDA
Representative Doug Patterson
John Smith
Sandy Barnett, KS Coalition Against Sexual & Domestic Violence
Tom Barte, KS Criminal Defense Lawyers

Others attending:

See Attached List.

HB 2568 – Assessment fee imposed on certain criminal defendants for crimes against children, establishing the children’s advocacy center fund.

HB 2569 – Children’s advocacy centers, prescribing standards and training

Chairman Loyd opened the hearings on **HB 2568** and **HB 2569**.

The chairman welcomed Senator Jordan who spoke in support of the bills. He had a chance to tour the Sunflower House in Johnson County and was very impressed and excited about the team spirit. He thanked the committee for listening to the bills.

The chairman welcomed Representative Landwehr who offered her support and an amendment to **HB 2569**. The amendment would add to line 21 sexual abuse. (Attachment 1)

Candy Shively, Deputy Secretary SRS appeared before the committee in support of **HB 2569**. SRS believes child advocacy centers are a positive addition to the child welfare system and additional center will benefit communities. SRS also supports an amendment that would include forensic interviews with children suspected of sexual abuse. (Attachment 2)

Steve Solomon, The Farm, Inc. appeared as a proponent of **HB 2569**. The Farm strongly believes in the

Child Advocacy Center approach. The model presents the most child-sensitive approach for determining the nature of the trauma and its effects on the wellbeing of the child. ([Attachment 3](#))

Brenda Sharp, Sunflower House President and CEO spoke in favor of the bills. **HB 2569** provides an opportunity to hold perpetrator accountable for the abuse and the strain that is placed on the child welfare system. **HB 2568** would provide token fee to the Advocacy Center if the attacker is convicted. ([Attachment 4](#))

Sue Lockett, Prairie Advocacy Center, spoke in favor of the bills, PAC conducts interviews for other counties as needed and performs courtesy interviews for out of state law enforcement and children protective services agencies. PAC strongly believes that legislation is necessary to uphold the highest standard of services for the children of this state. ([Attachment 5](#))

Kathleen Inwood, Emporia SOS Child Advocacy Center, would appreciate your support for the bills. ([Attachment 6](#))

Ron Paschal, Chief Attorney 18th Judicial District, said the Office of the District Attorney provides its testimony in full support of **HB 2569** and new section 2 of **HB 2568**. ([Attachment 7](#))

Sarah Robinson, Executive Director Wichita Children's Home, appeared before the committee in favor of the bills. ([Attachment 8](#))

Sandy Morris, Executive Director, Pittsburg Children's Advocacy Center, Inc. ([Attachment 9](#)) and Marg Yaroslacki, Executive Director Meadowlark Dodge City, ([Attachment 10](#)) submitted written testimony in support of the bills.

Chairman Loyd closed the hearings on **HB 2568** and **HB 2569**.

HB 2603 - Clarifying that prior DUI's are converted to person felonies for criminal history purposes when convicted of involuntary manslaughter while DUI

Chairman Loyd opened the hearings on **HB 2603**.

Mike Jennings appeared before the committee to provide written testimony for Allen County Attorney, Nannette L. Kemmerly-Weber, who supports the bill. The bill corrects the use of the word "and" which was used in error and asks for support to correct the error which is having consequences across the state. ([Attachment 11](#))

Chairman Loyd closed the hearing on **HB 2603**.

HB 2611 – Registered sex offenders, motor vehicle identification markings or global positioning systems unit.

Chairman Loyd opened the hearings on **HB 2611**.

Representative Doug Patterson appeared before the committee in support of the bill. The adoption of this bill is not to continue the punishment of violent offenders who have served prison time, but to make sure people know where these offenders are in our neighborhoods. The balloon offered was intended for the serious offender and not the person who has already served their time. ([Attachment 12](#))

John Smith spoke emotionally in opposition of the bill. He felt that his family would have to continue to be victimized by this legislation of having to put a sticker on his family car. ([Attachment 13](#))

Sandy Barnett of Kansas Coalition Against Sexual and Domestic Violence, appeared in opposition to the bill. The bill is not a simple answer for a complex problem, a sex offender who is intent on using a vehicle to find a new victim could easily rent or borrow a car. The KDOC is currently analyzing sex offender treatment and monitoring and feels that Kansas would be better off reviewing recommendations from this project, than trying to implement a new program. ([Attachment 14](#))

Tom Bartee appeared before the committee to present Paige A. Nichols, The Kansas Association of Criminal Defense Lawyers written testimony in opposition of the bill. Vehicle markings will follow and stigmatize the former offender, his family, and associates, in nearly every phase of public and private life. (Attachment 15)

Chairman Loyd closed the hearing on **HB 2611**

The meeting was adjourned at 3:25 PM. The next scheduled meeting February 9, 2004.