

Presentation to the Senate Transportation Committee

Senator Rick Billinger

Testimonial Support of “Joey’s Law” SB74

February 9, 2017

My name is Senator Rick Billinger. I am here to address the Senate Committee on Transportation in support of Senate Bill 74.

Joseph Weber, better known as Joey, was a free-spiriting, fun, and loving man who brought a smile to everyone he encountered. 36-year-old Joey was loved by his friends, family, and his community. He had many interests like trucks and combines—he was also very fond of birds. He made the very most of life; however, Joey suffered from autism. Joey grew up with his parents in Oakley, Kansas—a town in the northwestern part of the state—and had lived in Hays, Kansas for fifteen years. Then, last fall, the unexpected happened.

On August 18, 2016, Joey was driving in Hays with an expired license plate that his father, John Weber, had not put the new sticker on. Sergeant Brandon Hauptman of the Hays Police Department noticed the expired tag and began to follow Joey until he decided to pull him over. Seeing the lights, Joey became frightened and kept driving. He eventually pulled over, but did not comprehend nor obey the officer. Joey left the car and ran for the nearest house. Sgt. Hauptman followed suit and drew his gun. When Sgt. Hauptman gained hold of Joey, Joey struggled to gain possession of the gun—fearing for his life and again, not comprehending the social norms he was supposed to follow in a police encounter. Hauptman pinned Joey to the ground, and shot him at close range in the chest. Joey died immediately.

Until after the shooting occurred, the police department had no knowledge of Joey Weber’s autism and that he was also undergoing treatment for anxiety disorder, intermediate

explosive disorder, and mild intellectual disability—all of which aided in how Joey behaved in the encounter with Sgt. Hauptman. John Weber credited his son by saying that Joey was a good and safe driver and that maybe if there was a way for Hauptman and other public safety officials to know what issues he dealt with, the outcome may have been different.

The following months, the community came together to support the Weber family. Many have called for comprehensive legislation to keep others, like Joey, from encountering life-threatening altercations with the police. In the Hays area, many have gathered to demonstrate their support for such a bill as the one I present to you today. The Hays group “Justice for Joey” has been instrumental in raising awareness of the reasons for Joey’s death. In one of their demonstrations the group chanted, “What are we here for? Justice for Joey.” Most are not angry with the officer, but are angry that this could have easily been prevented. One individual said she felt “sorry for the officer involved; he didn’t mean to shoot and kill anybody. We just need better awareness in the country.”

Joey’s Law will add language to the already existing laws for disability aid within the Department of Revenue’s Vehicle Division. The law would allow anyone who can prove through medical documentation that they possess a cognitive disorder (including but not limited to, autism) to pay a small fee. Once they have proven the individual has a cognitive disorder, the department will then add the information to the driver’s license of the individual, the vehicle registration, and add an optional decal to the license plate of the registered vehicle. We would also offer an optional placard that could be placed on the dash, hung from the mirror or placed in the window. Joey’s law is to prevent this tragedy from ever happening again. It is simple, comprehensive, cost-efficient, and life-saving. I strongly urge you all to support this legislation.