

February 22, 2019

The Honorable Rick Wilborn, Chairperson
Senate Committee on Judiciary
Statehouse, Room 541-E
Topeka, Kansas 66612

Dear Senator Wilborn:

SUBJECT: Fiscal Note for SB 160 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 160 is respectfully submitted to your committee.

SB 160 specifies that the written policies for domestic violence calls required for all law enforcement agencies in the state would require when a law enforcement officer determines that a person is a victim of domestic violence, the officer would provide the victim with the notice described in the bill and conduct a lethality assessment. The notice would consist of handing the victim, or a responsible adult, if the victim is a minor or an incompetent person, a written statement in substantially the following form: "As a victim of domestic violence, you have certain rights. These rights are as follows:

1. The right to request that charges be pressed against your assailant;
2. The right to request protection from any harm or threat of harm arising out of your cooperation with law enforcement and prosecution efforts as far as facilities are available and to be provided with information on the level of support available;
3. The right to be informed of financial assistance and other social services available as a result of being a victim, including information on how to apply for the assistance and services; and
4. The right to file a petition for a protective order."

The law enforcement officer who interviews the victim of domestic violence would assess the potential for danger by asking a series of questions, specified in the bill and provided on a lethality assessment form. Based upon the results of the lethality assessment, the law enforcement agency would make appropriate referrals to shelters, domestic violence intervention programs, and other social services for the victim. The lethality assessment would be provided to the appropriate prosecuting attorney and court for setting bond and other possible conditions of release.

The Office of Judicial Administration indicates enactment of SB 160 would have no fiscal effect on the operations of the Judicial Branch. Both the Kansas Highway Patrol and the Kansas Bureau of Investigation indicate enactment of SB 160 would not have a fiscal effect to the operations of either agency.

The Kansas Association of Counties and the League of Kansas Municipalities indicate enactment of SB 160 would result in staff time and attorney costs in drafting the written policies with all the requirements listed in the bill and additional time for local law enforcement agencies to provide training.

Sincerely,

A handwritten signature in black ink that reads "L. L. Campbell". The signature is written in a cursive style with a large initial "L" and a smaller "L" and "C" following.

Larry L. Campbell
Director of the Budget

cc: Chardae Caine, League of Municipalities
Jay Hall, Association of Counties
Paul Weisgerber, KBI
Sherry Macke, Highway Patrol
Janie Harris, Judiciary