

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairperson Pat Colloton at 1:30 p.m. on February 10, 2009, in Room 535-N of the Capitol.

All members were present.

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes  
Jill Wolters, Office of the Revisor of Statutes  
Sean Ostrow, Office of the Revisor of Statutes  
Athena Andaya, Kansas Legislative Research Department  
Jerry Donaldson, Kansas Legislative Research Department  
Christina Butler, Kansas Legislative Research Department  
Jarod Waltner, Kansas Legislative Research Department  
Jackie Lunn, Committee Assistant

Conferees appearing before the Committee:

State Representative Jeff King,  
Captain Bob Keller, Johnson County Sheriff's Department  
Ed Klumpp, Kansas Association of Chiefs of Police & Kansas Peace Officers Association  
Tom Stanton, Kansas County & District Attorneys Association  
Travis Elliott, Kansas Association of Court Services  
Shannon Bell on behalf of Stuart Little, Johnson County Government  
Russell Jennings, Commissioner, Juvenile Justice Authority

Others attending:

See attached list.

**HB 2060 - Violation of battery against a law enforcement officer causing bodily harm, sentence is presumed imprisonment.**

Chairperson Colloton opened the Hearing on **HB 2060** and introduced State Representative Jeff King to give his testimony as a proponent of the bill. Representative King provided a written copy of his testimony. (Attachment 1) Representative King stated the bill changes battery against a law enforcement officer that causes bodily harm from probation to presumed imprisonment.

Questions and answers followed.

Chairperson Colloton introduced Captain Bob Keller, Johnson county Sheriff's Office, to give his testimony as a proponent of the bill. Captain Keller provided a written copy of his testimony. (Attachment 2) He stated according to the U.S. Department of Justice, assaults on law enforcement officers in the Midwest are on the rise. He stated that 8,087 law enforcement officers were assaulted in the line of duty in 2007, an increase of 697 over the previous year. In closing he stated the bill would provide a great deterrent against attacks on law enforcement officers and urged the Committee to vote for it favorably.

Chairperson Colloton introduced Ed. Klumpp, Kansas Association of Chiefs of Police and Kansas Peace Officers Association, to give his testimony as a proponent of the bill. Mr. Klumpp provided a copy of his written testimony. (Attachment 3) He stated the bill simply adds a special rule which will make the sentence for this offense presumptive imprisonment. He urged the Committee to vote favorably for this bill.

Chairperson Colloton called the Committee's attention to the fiscal note on **HB 2060**.

She call for anyone else to testify on the bill. There being none, she referred the Committee to the "written only" proponent testimony of Tom Stanton, Kansas County & District Attorneys Association and closed the hearing on **HB 2060**.

**HB 2236 - Recodification of certain drug crimes.**

## CONTINUATION SHEET

Minutes of the House Corrections And Juvenile Justice Committee at 1:30 p.m. on February 10, 2009, in Room 535-N of the Capitol.

Chairperson Colloton called the Committee's attention to **HB 2236** stating they would work the bill. She called on Jill Wolters, Revisor's Office, to review a balloon amendment on the bill. Ms. Wolters presented a written copy of the amendment. (Attachment 5) She began reviewing the amendment which was mostly technical clean up. Upon the completion of the review of the amendment, Ms. Wolters stood for questions.

Questions and answers followed.

**Representative Pauls made a motion to pass HB 2236 out favorably as amended. Representative Bethel seconded. Motion carried.**

**HB 2113 - Assault and battery against court services officers.**

Chairperson Colloton opened the hearing on **HB 2113** and introduced Travis Elliott, Kansas Association of Court Services, to give his testimony as a proponent of **HB 2113**. Mr. Elliott presented a copy of his written testimony (Attachment 6) Mr. Elliott stated the bill would identify any court service officers of the Judicial Branch as a law enforcement officer if that court service officer were subjected to assault, aggravated assault, battery or aggravated battery. This would apply when the officer was properly identified as a court services officer and was engaged in performing his or her duties. In closing, Mr. Elliott urged the Committee to pass the bill out favorably and stood for questions.

Questions and answers followed and it was noted by Mr. Elliott that they were not opposed to changing the language adding others.

Chairperson Colloton called for any other proponents or opponents of the bill to testify, there being none, she closed the hearing on **HB 2113**.

**HB 2232 - Authorizing increased membership for corrections advisory boards.**

Chairperson called the Committee attention to **HB 2232** and stated the bill would change the membership of the corrections advisory boards. She introduced Shannon Bell appearing on behalf of Stuart Little, Johnson County Government as a proponent of the bill. Ms. Bell referred the Committee to Mr. Little's written copy of testimony. (Attachment 7) She stated the bill would increase the membership from 12 to 15 and stood for questions.

Questions and answers followed.

Chairperson Colloton called for other proponents or opponents of the bill, being none she closed the hearing on **HB 2232**.

**SB 14 - Interstate compact for juveniles; compact administrator; Kansas council for interstate juvenile supervision.**

Next, she called the Committee's attention to **SB 14** and introduced Russell Jennings, Commissioner, Juvenile Justice Authority, to give his testimony as a proponent of the bill. Commissioner Jennings provided a written copy of his testimony. (Attachment 8) He stated the bill would create the Kansas Council for Interstate Juvenile Supervision to oversee and administer the state's participation in the interstate Compact for Juveniles, and to develop policies concerning the operations and procedures of the Compact within the state. In closing, he stated the fiscal impact would not create new expense.

Questions and answers followed.

Chairperson Colloton called for other proponents or opponents of the bill, there being none, she closed the hearing on **SB 14**. Chairperson asked if the Committee has problems with working **SB 14** at this time. Being no objections, she called for a motion .

**Representative Roth moved to pass SB 14 out favorably for passage. Representative McCray-Miller seconded.**

CONTINUATION SHEET

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A discussion followed.

**Representative Pauls made a substitute motion to strike line 34 and 35. Representative Dillmore seconded.**

A discussion followed.

**Chairperson Colloton called for a vote on the substitute motion by a show of hands. The vote was a tie with 4 voting for and 4 voting against. Chairperson Colloton, voting in a "tie vote situation", voted no. Motion failed.**

**Chairperson Colloton called for a vote on the original motion on the floor to move SB 14 out favorably. Motion carried.**

Chairperson Colloton adjourned the meeting at 2:30 with the next meeting February 11, 2009 at 1:30 p.m. in room 535 N.