

Approved: May 22, 2012
(Date)

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The Chairman called the meeting to order at 9:35 a.m. on January 19, 2012, in Room 548-S of the Capitol.

All members were present.

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes
Katherine McBride, Office of the Revisor of Statutes
Robert Allison-Gallimore, Kansas Legislative Research Department
Lauren Douglass, Kansas Legislative Research Department
Theresa Kiernan, Committee Assistant

Conferees appearing before the Committee:

Libby Keogh, Dept. of Corrections, Director of Victim Services
Ed Klumpp, KACP, KSA and KPOA
Ron Miller, City of Topeka, Chief of Police

Others attending:

See attached list

Ms. Libby Keogh, Director of Victim Services, Department of Corrections, briefed the Committee on the current operations and programs of the office of Victim Services (Attachment 1). Ms Keogh stated the services provided by the Department are victim-initiated. She added the number of victims served has increased while the number of Department staff providing services has decreased. Some of the challenges facing the Department include: Collection of restitution, improving victim impact statements, batterer's intervention programming for offenders and IT improvements.

Ms. Keogh noted that names are purged from the victim-services list, but services are continued to be provided until a victim asks not to be served or contact with the victim is lost.

The Chairman opened the hearings on **SB 282–Forfeiture, fleeing or eluding law enforcement.**

Jason Thompson, Staff Revisor, reviewed the bill. Mr. Thompson stated the bill amends the forfeiture law and would add the crime of felony fleeing or eluding law enforcement to the list of offenses and conduct giving rise to forfeiture.

In response to a question raised by Senator Haley, Mr. Thompson indicated that other states had similar provisions of law.

CONTINUATION SHEET

Minutes of the Senate Judiciary Committee at 9:30 a.m. on January 19, 2010, in Room 548-S of the Capitol.

In response to a question raised by Senator Vratil, Mr. Thompson indicated the bill could be amended to add descriptions of the offense or conduct contained in the statutory citations referenced in the bill.

In response to a question raised by Senator Donovan, Mr. Thompson indicated the forfeiture law contains provisions to address situations in which there is a lien on a vehicle or more than one name on the title of the vehicle.

Ed Klumpp testified in favor of the bill (Attachment 2). He stated the bill would provide another tool to deter fleeing or eluding law enforcement. He added that the bill is similar to a North Carolina law.

Ron Miller testified in favor of the bill (Attachment 3). He stated that the forfeiture of the instrument of the crime is a reasonable penalty. In addition, he stated a person does not accidentally flee from a law enforcement officer. He noted the bill would not increase the number of prison beds.

Senator Haley expressed concern that the bill was overly-broad. He suggested consideration of amendments which would require the offender to travel a certain distance in order to be found guilty or that an accident resulted from the attempt to flee or elude a law enforcement officer.

The Chairman closed the hearings on **SB 282**.

The next meeting is scheduled for January 23, 2012.

The meeting was adjourned at 10:30 a.m.