MINUTES OF THE SENATE JUDICIARY COMMITTEE

The Chairman called the meeting to order at 9:35 a.m. on January 31, 2012, in Room 548-S of the Capitol.

All members were present, except Senator Bruce who was excused.

Committee staff present:
- Jason Thompson, Office of the Revisor of Statutes
- Bob Allison-Gallimore, Kansas Legislative Research Department
- Lauren Douglass, Kansas Legislative Research Department
- Theresa Kiernan, Committee Assistant

Conferees appearing before the Committee:
- Dr. Curt Brungardt, Ph. D.
- Michael Kaberline
- Steve Halley
- Dorthy Stucky Halley, Director of Victim Services Division, Office of Attorney General
- Travis Harrod, Assistant Attorney General
- Sky Westerlund, Executive Director of Kansas Chapter of National Association of Social Workers
- Tom Hawk, Executive Director Behavioral Sciences Regulatory Board
- Mark Gleeson, Office of Judicial Administration

Others Attending:
- See Attached List

The Chairman recognized Brad Smoot who requested introduction of a bill concerning prejudgment interest rates.

The Chairman opened the hearings on **SB 304–Certified batterer intervention program act**.

Jason Thompson, Staff Revisor, reviewed the bill. Mr. Thompson stated the bill concerns batterer intervention programs and certification thereof.

Dr. Curt Brungardt, Ph. D. testified in support of **SB 304 (Attachment 1)**. Dr. Brungardt stated certification is necessary for positive outcomes of batterer intervention programs.

Michael Kaberline testified in support of **SB 304 (Attachment 2)**. Mr. Kaberline stated he participated in the Family Peace Initiative, which is offered by the Topeka YWCA and has been violence-free for two years. He stated that anger management does not help batterers.

Steve Halley testified in support of **SB 304 (Attachment 3)**. Mr. Halley stated that batterers use a pattern of domination and control. He added it is not enough to send persons convicted of domestic violence to counseling, anger management, or subject them to fines.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.
CONTINUATION SHEET
Minutes of the Senate Judiciary Committee at 9:35 a.m. on January 31, 2012, in Room 548-S of the Capitol.

Dorthy Stucky Halley testified in support of SB 304 (Attachment 4). Ms. Halley stated if programs are not certified, substandard programs are able to thrive. She added that persons who perform assessments and provide intervention services must have specialized training in batterer intervention.

Travis Harrod testified in support of SB 304 (Attachment 5). Mr. Harrod stated the bill would authorize the Attorney General to adopt rules and regulations for the purpose of certification and regulation of batterer intervention programs in Kansas. Statewide certification of such programs will ensure that victims of domestic violence and offenders referred to such programs will receive the same level of intervention and service, no matter where they live in Kansas.

Written testimony in support of SB 304 was submitted by Dennis Butler and Joyce Grover (Attachments 6 and 7).

Sky Westerlund testified in opposition to SB 304 (Attachment 8). Ms. Westerlund stated KNASW believes the criteria for certification should focus on program elements such as assessment content, program standards reporting procedures, which SB 304 does not. She also stated that SB 304 does not provide the foundation of who shall implement the program. She added that implementation should start with staff who are licensed to practice behavioral sciences. Ms. Westerlund's testimony included a copy of a proposed amendment.

Tom Hawk offered neutral testimony on SB 304 (Attachment 9). He expressed concerns about the provisions in subsection (c) on page 1 of the bill relating to providing records.

Mark Gleeson offered neutral testimony on SB 304 (Attachment 10). He stated the bill could potentially create additional work for the clerks of the district and additional programming costs. His testimony included an amendment that would avoid the additional work and cost.

The Chairman closed the hearings on SB 304.

The next meeting is scheduled for February 1, 2012.

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