

MINUTES OF THE HOUSE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on March 6, 2002 in Room 313-S of the Capitol.

All members were present except:

Representative Dean Newton- Excused
Representative Clark Shultz - Excused

Committee staff present:

Jerry Ann Donaldson, Department of Legislative Research
Jill Wolters, Department of Revisor of Statutes
Sherman Parks, Department of Revisor of Statutes
Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

Representative Tim Owens
John Donham, Attorney, Johnson County
Ken Bisel, Citizens Coalition for Children's Justice
Sara Adams, Keys for Networking
Bobbi Rine, Parent, Liberal
JoAnn Woellhof, Parent, Liberal
Representative Tom Burroughs

Hearing on **HB 2867 - rights of certain aliens to transfer or inherit real property, repealer**, was opened.

Representative Tom Burroughs appeared as the sponsor of the proposed bill which would repeal racially discriminating provisions of Kansas Law, which discriminates on the basis of race. ([Attachment 1](#))

Hearing on **HB 2867** was closed.

Hearing on **HB 2851 - miscreants & delinquents; decaying juvenile adjudications**, was opened.

Representative Tim Owens appeared before the committee as the sponsor of the proposed bill. He stated that the goal of the proposed bill was to hold children responsible for their actions without criminalizing them. He provided the committee with a balloon amendment which would incorporate the provisions of **SB 608** into the bill. ([Attachment 2](#)) The proposed bill addresses several concerns:

- ▶ Redesignates children in their juvenile offender status as delinquents and miscreants instead of felons and misdemeanants
- ▶ Allows for adjudication in most instances to decay at a certain age
- ▶ Requires a parent or attorney be present during questioning

John Donham, Attorney, Johnson County, believes that juveniles do not have the ability to visual the consequences of their actions and that they view the acts to be "pranks". ([Attachment 3](#))

Ken Bisel, Citizens Coalition for Children's Justice, stated that responsible parents should be included in the process unless they are deemed unfit. He preferred not to have the serious crimes decay. The proposed bill offers young people hope about their future.

Sara Adams, Keys for Networking, was concerned about families not being involved in the intake process, and that the juveniles are not afforded the same rights as adults. ([Attachment 4](#))

Bobbi Rine, Parent, Liberal, informed the committee that her 10 year old son was arrested and had already been through the intake before she was contacted.

JoAnn Woellhof, Parent, Liberal, also expressed her concern without being included in the intake process and not having a voice on their placement at a juvenile facility.

CONTINUATION SHEET

MINUTES OF THE HOUSE JUDICIARY COMMITTEE at 3:30 p.m. on March 6, 2002 in Room 313-S of the Capitol.

The following people did not appear before the committee but requested their written testimony be included in the minutes:

E-mail letters ([Attachment 5](#))

Kris Kobach, Professor of Law, University of Kansas ([Attachment 6](#))

Paul Morrison ([Attachment 7](#))

John Conaghan ([Attachment 8](#))

Citizen's Coalition for Children's Justice ([Attachment 9](#))

The committee meeting adjourned at 5:30 p.m. The next meeting was scheduled for March 7, 2002.