

SESSION OF 2006

SUPPLEMENTAL NOTE ON SENATE BILL NO. 201

As Recommended by Senate Committee on
Judiciary

Brief*

SB 201 would amend the law which prohibits juveniles from being detained in any jail to expand the exceptions to this rule to include juveniles who have waived their right to a hearing on the prosecutor's motion to have the juvenile tried as an adult.

Background

The Acting Director of the Juvenile Justice Authority said that in Kansas, the filing of a motion requesting prosecution as an adult allows the youth to be detained as an adult. This provision conflicts with the Federal Office of Juvenile Justice and Delinquency Program's requirement that a juvenile must be formally waived to the adult criminal court. This bill would reconcile these differences and make clear that when a juvenile offender has officially waived the right to a hearing on the motion of the juvenile being tried as an adult, the juvenile can be confined in an adult jail without violation of the federal sight and sound separation requirements for adults and juveniles.

The bill has no fiscal impact.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>