

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

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CYNDI HOWERTON
98TH DISTRICT

February 13, 2023

Chairman Stephen Owens
Members of the Corrections and Juvenile Justice Committee,

Mr. Chairman and Members of the Committee:

Thank you for allowing me to appear in support of HB2295 and for allowing me to request this bill through your committee. The idea for this bill first came to me through my constituent, Sarah Autrey. Sarah and her daughter, Lailah, are here today.

I met Sarah through one of the numerous emails we receive. She sent an email with the subject line "Looking for my local representative". We confirmed that I was indeed her state representative and then Sarah shared with me part of the long journey they have travelled. They are here today to share that with you.

I would like to share a little of the history of the situation. In my written testimony, you'll find numerous news articles about this horrific crime.

In the early morning of June 11, 2017, Corbin Breitenbach, a man convicted in 2012 of sexual assault, who was on parole and last reported to his parole office on June 8, 2017 – just 3 days prior - broke into a balcony apartment and strangled and raped a 7 year old child, Lailah. He was convicted on Sept 20, 2018 on four counts that included attempted capital murder, rape, aggravated criminal sodomy and aggravated burglary. He was later sentenced to life in prison.

In our conversation last year, Sarah suggested a bill that would require those who allow an offender on probation, parole or postrelease supervision to report when the offender is not where they are supposed to be when they are supposed to be there.

We took some of the language in this bill from the mandatory reporter statutes. The goal would be that if you live with someone and know that an offender is violating their supervision guidelines, you need to make a call, text or email to the supervision officer.

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I did work with several law enforcement experts and a district attorney to provide input in writing this bill and this bill does include all of their input.

The one argument that I've heard in opposition to this bill is that it could put a burden on finding placement for those on parole, probation or postrelease supervision and that families would hesitate to allow offenders to live with them. This support and placement is much needed to lower recidivism of the offender.

My response to that argument is simple. I believe by creating this law and being able to enforce it, family members and others would be able to use this law as a reason they have to report that they are violating. In essence, making the law the "bad guy" instead of straining the relationship between the offender and the person with whom they live. Grandma can say, "Sure grandson/daughter you can live with me, but know that the law requires that I have to report when I know you aren't where you are supposed to be. I'm not going to break the law."

With this heartbreaking story and all of the trauma that Sarah and Lailah have been thru, I know that this law, Lailah's Law, if it saves one victim, would be worth it.

I am SO proud of Sarah and Lailah for speaking up and doing everything they can to make a difference. For using the horrific experience to bring good. I know they have other projects for bringing awareness ongoing and this won't be the last we hear from them. I want to add also, that is this is bipartisan. Sarah is a Democrat and I'm a Republican. We are working together for the good of our community and our state. I'm proud of the work we are doing and I ask that you respectfully consider this bill for passage into law. Thank you.

Respectfully,

A handwritten signature in black ink that reads "Cyndi Howerton". The signature is written in a cursive, flowing style.

Rep Cyndi Howerton
District 98