



Kansas Bureau of Investigation

Kirk D. Thompson
Director

Derek Schmidt
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Testimony of Kyle Smith
Deputy Director and Assistant Attorney General
Kansas Bureau of Investigation
In support of SB 279
January 17, 2012

Chairman Owens and members of the committee,

I appear today on behalf of Attorney General Derek Schmidt and the KBI in support of SB 279. This legislation is designed to protect children in particularly vulnerable situations.

The bill amends K.S.A 21-5512, unlawful sexual relations, which criminalizes otherwise consensual sexual relations between people who are in a dependant and vulnerable situation and people who have positions of control over them. Examples of relationships currently covered are prisoners with guards, parolees with their parole officers and teachers with students.

SB 279 would do three things:

- Section 7 would be amended to expand current coverage from abuse of a child in by an SRS employee or contractor in an SRS institution to such abuse of any child in SRS custody.
- Section 8 is new language designed to include such sexual relations with 16 and 17 year old children in foster care. (Younger children are protected by more traditional criminal statutes such as indecent liberties with a minor)
- Section 9 tweaks the language dealing with teachers to clarify the language and in section (11)(c)(9) the definition of teacher is expanded to specifically include coaches.

These modifications seem reasonable as the control and trust issues are identical to existing prohibitions. Simply put, people in positions of trust and responsibility should not exploit their authority for sexual gratification.

On behalf of Attorney General Schmidt I would encourage your support and passage of SB 279.

Thank you for your consideration and I would be happy to stand for any questions.