

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Ward Loyd at 1:30 p.m. on February 4, 2004 in Room 241-N of the Capitol.

All members were present.

Committee staff present:

Jill Wolters, Revisor of Statutes
Jerry Ann Donaldson, Legislative Research Department

Conferees appearing before the committee:

Kevin Graham, Attorney Generals Office
Richard Masters, The Council of State Government
James Frazier, Juvenile Justice Authority
Senator Derek Schmidt

Others attending:

See Attached List.

Senator Schmidt appeared before the committee to request a bill introduction. The bill has to do with child endangerment statute. (Attachment 1)

Representative Owens made the motion that this request should be introduced as a committee bill. Representative Pauls seconded the motion. The motion carried.

Representative O'Malley requested a bill introduction that would further define imitation firearms allowed by law.

Representative Yoder made the motion that this request should be introduced as a committee bill. Representative Huntington seconded the motion. The motion carried.

Kevin Graham, Attorney Generals office, appeared before the committee to request several bill introductions. (Attachment 2)

1. Absconding a crime
2. To amend KSA 21-4603d(f)
3. Increase the penalty of the solicitation of a child from a level 6 to a level 3
4. Require judicial districts to report restitution payments to the state on an annual basis

Representative Owens made the motion that this request should be introduced as a committee bill. Representative Goering seconded the motion. The motion carried.

Representative Carlin request a bill introduction concerning penalty for third DUI.

Representative Kassbaum made the motion that this request should be introduced as a committee bill. Representative Owens seconded the motion. The motion carried.

Chairman Loyd requested a bill introduction for Representative Hayzlett. The bill is similar to an act passed by the State of Oklahoma, and pertains to the use of photographs in a criminal homicide case. (Attachment 3)

Representative Pauls made the motion that this request should be introduced as a committee bill. Representative Owens seconded the motion. The motion carried.

Chairman Loyd requested a introduction of two bills.

1. Field Tests allowed in as evidence at preliminary hearing.
2. Amending KSA 21-4710, allowing defendant to be sentenced with initial criminal history, not criminal history after appeal.

Representative Owens made the motion that this request should be introduced as a committee bill.

Representative Kassebaum seconded the motion. The motion carried.

HB 2485 -The interstate compact for juveniles

Chairman Loyd opened the hearing on **HB 2485**.

Richard Masters, Special Counsel to the Council of State Governments, appeared before the committee in favor of the bill. The video presented gave a breif overview of the compact. The Juvenile Compact was first enacted into law in 1955. (Attachment 4)

Three amendmentsto the current compact have been proposed over the years, regarding:

1. Runaways
2. Rendition
3. Out of state confinement

Not all of the amendment have been adopted by all states. Less than half the states have adopted all three amendments. The old compact statute has no enforcement provisions. The only state or federal law in the US for the transfer of juveniles under supervision.

Population covered:

- Juveniles placed on probation or parole and want to move to another state
- Juveniles who have absconded from probation or escaped from an institution in a state other that state which placed them under supervision
- Juveniles who have delinquency, neglect, or dependance proceedings pending against them and who runaway to another state
- Juveniles who require institutionalized care and/or special services in another state
- Juveniles who run away from home to another state

This updated compact addresses many deficiencies within the current juvenile compact system including enforcement, administration, finance, communications, data sharing and training. Specifically, this Compact provides for: (Attachment 5)

- The establishment of an independent compact authority to administer compact activity.
- A rule-making authority and a provision for significant sanctions to support compact operations.
- The establishment of state-level councils to provide oversight into compact operations.
- The collections of standardized information and information sharing systems.

In summary, The Interstate Compact for Juveniles provides the framework for promoting public safety, ensuring the welfare of juveniles, and protecting victims within the states through control and regulation of the interstate movement of juveniles.

James Frazier, Deputy Commissioner JJA, spoke in favor of the bill. (Attachment 6) He stated that the new revised Interstate Compact for Juveniles will further provide for the welfare and protection of juveniles and the public.

The current Kansas caseload of 244 cases is not expected to be impacted by this bill. The impact of the bill will result in a moderate increase in the workload of the current KJJAICJ. The effectiveness and efficiency of the office are expected to improve dramatically with the enactment of this new compact.

Chairman Loyd closed the hearing on **HB 2485**.

Representative Carter requested a bill introduction that concerns state vehicles being environmentally

sound.

Representative Carter made the motion that this request should be introduced as a committee bill. Representative Pauls seconded the motion. The motion carried. The request was withdrawn.

The meeting was adjourned at 3:00 PM. The next scheduled meeting is February 5, 2004.