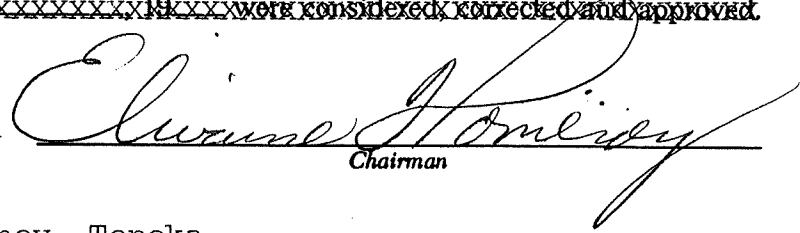


Held in Room 519 S, at the Statehouse at 10:00 a. m./p. m., on February 23, 1979.

All members were present except: Senators Steineger, Gaar and Mulich

The next meeting of the Committee will be held at 1:15 p. m., on February 23, 1979.

~~These minutes of the meeting held on xxxxxxxxxxxxxxxxxxxxxxxx 19. xx were considered corrected and approved.~~


Chairman

The conferees appearing before the Committee were:

- Joan Hamilton - District Attorney, Topeka
- Judy Teusink - Kansas Women's Political Caucus
- Mitch Cooper - National Association of Social Workers

Staff present:

- Art Griggs - Revisor of Statutes
- Jerry Stephens - Legislative Research Department
- Wayne Morris - Legislative Research Department

Senate Bill No. 308 - Defining certain sex offenses; admissibility of certain evidence. The author of the bill, Senator Hess, explained the bill section by section. He stated the bill was introduced at the request of a task force in Wichita, which included representatives from the district attorney's office, various women's groups, and persons associated with hospitals and mental health organizations. Committee discussion with him followed.

Joan Hamilton testified in opposition to the bill. She feels it is not necessary to redefine the sexual crimes in Kansas. She stated that if improvements were to be made in this area, it should be by making the mandatory sentence laws for crimes committed with firearms apply to rape and aggravated sodomy. She stated she feels that the penalty provisions of this bill are too severe. Committee discussion with her followed.

Judy Teusink testified in support of the bill. She stated the Women's Political Caucus has many concerns in this area. She stated she would support the inclusion of sexual offenses in the mandatory sentencing provisions of the law.

Mitch Cooper testified in support of the bill. A copy of his statement is attached. Committee discussion with him followed.

Senator Hein moved that the minutes of February 7 be approved; Senator Hess seconded the motion, and the motion carried.

The meeting adjourned.

These minutes were read and approved by the committee on 4-25-79

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

GUESTS

SENATE JUDICIARY COMMITTEE

NAME	ADDRESS	ORGANIZATION
Mitch Cooper	Topeka	Nat'l Assoc. of Social Workers
Cindy Schwartz	"	Harris News Service
Polly Pettit	Lawrence	Dy. Co. Rape Victim Support Service
Kathryn Hazard	Lawrence	Douglas County Rape Victim Support Service
Joan Hamilton	Topeka	District Attorney
John W. Holt	"	"
Cindy Harris	Topeka	Jr. League
Robin C. Reynolds	Topeka	St. Paul's Office
Ruth Rose		Jr. League
		Intern Sen. Hess
Marvin C. Umholtz	Lawrence	NUM
Stephanie Alexander	Topeka	W.A.S.C.
Maureen Hannon	"	Daily Court
CP Duffy	"	Dir. of Budget
Lenae Friedman	Topeka	Court Services

NATIONAL ASSOCIATION OF SOCIAL WORKERS, INC.

Brian P. Bauerle, Executive Director

Kansas Chapter, NASW



214 W. 6th - Suite 304

Topeka, Kansas 66603

Telephone: 913 296-3457

Dear Legislator:

I am here on behalf of the National Association of Social Workers, Kansas Chapter. Social workers provide a variety of services in this state, some of which are either directly or indirectly linked to the aid of distressed families who have suffered as a result of sexual crimes.

That the crimes themselves are damaging is indisputable, however, workers in the field report that the situation is generally further complicated by laws that do not adequately deal with sexual crimes. We feel that Senator Hess's Bill would be a positive step in clarifying this problem. It is important that information concerning the chastity of the assaulted woman be considered irrelevant and therefore, be deemed inadmissible as evidence in a court of law. We based our opinion on the idea that the trial should be founded in fact rather than relying on the morality of the complainant. Therefore, NASW would like to go on record as being in support of SB 308.

Sincerely,



Mitchell Cooper
Administrative Assistant
National Association of Social Workers