

Approved April 28, 1988
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Senator Joseph C. Harder at
Chairperson

1:15 ~~xxx~~ a.m./p.m. on Monday, March 28, 1988 in room 123-S of the Capitol.

All members were present except:

Committee staff present:

Mr. Ben Barrett, Legislative Research Department
Ms. Avis Swartzman, Legislative Revisor's Office
Mrs. Millie Randell, Secretary

Conferees appearing before the committee:

SB 746 - Concerning educational benefits for certain dependents of deceased or disabled law enforcement officers.

Proponents:

Attorney General Robert T. Stephan
Mr. Ken Gorman, President, Fraternal Order of Police
Mr. Jerry Shelor, Lobbyist, Fraternal Order of Police
Kansas State Troopers Association, written testimony only

After calling the meeting to order, the Chairman recognized Attorney General Robert T. Stephan, who testified that he is in strong support of SB 746. (Attachment 1) The Attorney General stated that the fiscal impact of SB 746 would amount to between \$11,000 to \$12,000 per year. He said this amount is nominal as compared to the \$3.5million spent on prisoners. In responding to a question, the Attorney General replied that dependent children must commence their post-secondary education by the time they have reached the age of 21 in order for them to receive the benefits as provided in this bill.

Mr. Ken Gorman, President, Fraternal Order of Police, related that many times when a law officer is killed in the line of duty, he leaves a pregnant wife. He said that at present there are no funds earmarked for the education of dependents of law enforcement officers who have died as a result of performing his/her duties. Mr. Gorman's testimony is found in Attachments 2 and 3.

A lobbyist for the Fraternal Order of Police, Mr. Jerry Shelor, also emphasized the small fiscal impact of SB 746. Mr. Shelor further stated that six children and three spouses would be eligible this year under the provisions of this bill. If everyone who qualified should decide to attend a post-secondary school, this cost would be approximately \$11,000. (Attachment 4) Mr. Shelor said that although the bill stipulates that the education provided is to be completed in ten semesters, he would not object to expanding this time frame. Responding to another question, Mr. Shelor said he believed the language of the bill had been modeled after an Illinois statute. He also answered that the provisions would apply to a natural or adopted child but said that in a case involving a former spouse, only a natural child would be eligible. Mr. Shelor also replied that if a dependent child should be out of school for more than one year after commencing the program, the child would be declared ineligible to continue under the provisions of the bill.

Written testimony only (Attachment 5) from the Kansas State Troopers Association in support of SB 746 was distributed to the Committee.

The Chairman announced that the hearing on SB 746 was concluded and that action on the bill would be considered at a later time.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

room 123-S, Statehouse, at 1:15 ~~XXX~~ ~~XXX~~ p.m. on Monday, March 28, 1988

SB 381 - Kansas honors scholarship program for Kansas honor students

At the request of the Chairman, Ms. Clantha McCurdy, Director, Student Financial Aid, Kansas Board of Regents, who was in attendance, responded to Committee questions. She said that SB 381 would provide funding for Kansas honor students in the Kansas Honors Scholarship Program but stated that this amount would not exceed one percent of the state scholarship fund appropriation. She answered that this year the amount remaining in the state scholarship fund is about \$11,600. Ms. McCurdy said that although she had testified earlier that she only knew of K.U., K-State, and Fort Hays as participating schools, other institutions are also getting involved in the program. Ms. McCurdy said a student must be a junior or senior to be able to participate in the program. Although schools do offer some assistance, she said that students must make up the difference. At the present time, Ms. McCurdy estimated, there are about twenty students each at the University of Kansas and Kansas-State University who are involved in the program.

Ms. McCurdy stated that although each individual school sets its own requirements, grade-point average and test scores are the main determinants in screening applicants. Ms. McCurdy acknowledged that one percent of the state scholarship fund may not be sufficient in the future, but she added that all students do not need assistance. She said a student has never been passed by for lack of funds. She further explained that the program, formerly only a summer program, now functions the entire year. When asked if private colleges are also involved in the program, Ms. McCurdy referred the Committee's attention to Sec. 2 (e) and said the bill applies to Regents' institutions only.

When the Chair asked the Committee's pleasure regarding SB 381, Senator Salisbury made a conceptual motion to amend Sec. 2 (e) so as to include community colleges, independent colleges, and Washburn University. Senator Parrish seconded the motion, and the amendment was adopted.

Senator Salisbury moved that SB 381, as amended, be reported favorably for passage. Senator Anderson seconded the motion, and the motion carried.

Sub. for HB 2073 - Vocational education instructional equipment aid, definitions, distribution basis

After referring the Committee's attention to Sub. for HB 2073, the Chairman called upon Senator Salisbury, a member of the Legislative Commission on Kansas Economic Development. Senator Salisbury distributed copies of Attachment 6, which provided the Committee with information helpful to its consideration of Sub. for HB 2073.

Ms. Avis Swartzman, revisor of statutes, informed the Committee that the present program does not include community colleges. Senator Salisbury said that the Task Force Committee's recommendation was to include community colleges. Following discussion, it was the consensus of the Committee that the bill does have merit.

When the Chairman asked for the Committee's pleasure regarding Sub. for HB 2073, Senator Salisbury made a conceptual motion to amend Sub. for HB 2073 as follows:

Provide funds for the program from the Gaming Fund,
Have the program administered by the State Board of Education, and
Include community colleges in the program.

Senator Karr seconded the motion, and the amendment was adopted.

Senator Langworthy moved that Sub. for HB 2073, as amended, be recommended favorably for passage. Senator Warren seconded the motion, and the motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION,
room 123-S, Statehouse, at 1:15 ~~xxx~~/p.m. on Monday, March 28, 1988

HB 2678 - Community colleges, affect composition of boards of trustees thereof

When the Chair asked the Committee's pleasure regarding HB 2678, Senator Karr moved and Senator Montgomery seconded a motion to recommend HB 2678 favorably for passage. The revisor of statutes, Ms. Avis Swartzman, explained that under the provisions of this bill the set-up of the boards of trustees of community colleges would be identical to the way school boards are set up.

The Chair recognized Dr. W. Merle Hill, Executive Director, Kansas Association of Community Colleges, who said that he had not denoted any objections to the bill from members of community college boards of trustees. He said that at a recent meeting of community college presidents, approximately seventeen or eighteen urged passage of the bill.

Senator Montgomery made a substitute motion to table HB 2678. Senator Warren seconded the motion. Following a call for a division (5 yeas and 4 nays), the Chair ruled that the motion to table HB 2678 had carried.

SB 746 - Concerning educational benefits for certain dependents of deceased or disabled law enforcement officers

When the Chairman asked the Committee's pleasure regarding SB 746, Senator Arasmith, noting that the bill was more concise than a similar bill that had been introduced two years ago, moved that SB 746 be recommended favorably for passage. Senator Warren seconded the motion, and the motion carried.

SCR 1613 - Constitutional amendment, education article

When the Chair called the Committee's attention to SCR 1613, Senator Anderson moved and Senator Salisbury seconded the motion to recommend SCR 1613 favorably for passage. The motion carried.

Sub. for HB 2073 - Senator Salisbury made a conceptual motion that the Committee reconsider its previous action today on Sub. for HB 2073. Senator Anderson seconded the motion, and the motion carried.

Mr. Dale Dennis, Assistant Commissioner for Education, State Department of Education, reminded the Committee that if all appropriations to fund Sub. for HB 2073 were tied to one fund (Gaming Fund) vocational education schools would stand to lose one million dollars that has been appropriated from the General Fund for capital outlay for the vocational-technical schools.

Senator Salisbury made a conceptual motion to amend Sub. for HB 2073 so that funding for the program provided under Sub. for HB 2073 be subject to appropriations (from whatever source). Senator Anderson seconded the motion, and the amendment was adopted.

Senator Salisbury moved and Senator Karr seconded the motion that Sub. for HB 2073, as amended, be recommended favorably for passage. The motion carried.

The Chair adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:15 p.m. PLACE: 123-S DATE: Monday, March 28, 1988

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Richard Funk	Topeka	KASB
Linda McGill	TOPEKA	Ks. STATE TROOPERS ASSN.
Jerry Debelak	Topeka	F.O.P.
Jan Gorman	TOPEKA	KANSAS FOP
Ray Stevens	Topeka	City of Topeka
Bridle Highfill Scott	Topeka	USA

SENATE EDUCATION COMMITTEE

TIME: 1:15 p.m. PLACE: 123-S DATE: Monday, March 28, 1988

GUEST LIST

NAME

ADDRESS

ORGANIZATION

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Lt. Bill Jacobs	TOPEKA	KHP
Bob Stephan	Topeka	Attorney General
Bucky Sabul	Topeka	Attorney General's Office
Jay Coles	Topeka	K-NEA
Craig Grant	Topeka	H-NEA
KATHY Dick	Topeka	ASK
Mark Tallman	Topeka	ASK



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN
ATTORNEY GENERAL

MAIN PHONE: (913) 296-2215
CONSUMER PROTECTION: 296-3751

TESTIMONY OF ATTORNEY GENERAL
ROBERT T. STEPHAN
ON SENATE BILL 111
BEFORE SENATE EDUCATION
MARCH 28, 1988

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

AS THE STATE'S CHIEF LAW ENFORCEMENT OFFICER, I AM HERE TODAY IN STRONG SUPPORT OF SENATE BILL 746. SENATE BILL 746 WOULD PROVIDE DEATH BENEFITS TO SURVIVORS OF THOSE OFFICERS WHO ARE KILLED AS A RESULT OF PERFORMING THEIR DUTIES AS A LAW ENFORCEMENT OFFICER.

I HAVE WORKED CLOSELY FOR MANY YEARS WITH THESE DEDICATED PUBLIC SERVANTS WHOSE CHIEF FUNCTION IS TO PROTECT THE CITIZENS OF OUR STATE AGAINST THOSE WHO HAVE NO RESPECT FOR THEIR WELL BEING.

THESE INDIVIDUALS MUST RISK THEIR OWN LIVES IN CARRYING OUT THEIR JOB. WITHOUT THEM, WE WOULD BE A LAWLESS SOCIETY. WITHOUT THEM, MANY OF OUR OWN CITIZENS WOULD LOSE THEIR LIVES.

TO BE WILLING TO GIVE UP ONE'S OWN LIFE IN THE LINE OF DUTY TAKES A GREAT DEAL OF COURAGE. UNFORTUNATELY, WHEN A POLICE OFFICER IS KILLED, THERE IS A TRAUMATIC IMPACT ON A FAMILY WHO COUNTED ON HIS OR HER STRENGTH AND SUPPORT BOTH EMOTIONALLY AND ECONOMICALLY. AS A LAWFUL SOCIETY, I BELIEVE IT IS OUR DUTY TO GIVE AS MUCH SUPPORT AS WE CAN TO LAW ENFORCEMENT OFFICERS WHO SACRIFICE THEIR LIFE AND LEAVE BEHIND A SPOUSE AND CHILDREN WHO MUST GROW UP WITHOUT THE OFFICER'S SUPPORT. I BELIEVE THE POLICE OFFICER'S CHILDREN OR SPOUSE SHOULD BE ASSURED THAT THEY WILL BE ABLE TO OBTAIN AN EDUCATION WITHOUT THE SUPPORT OF THEIR SLAIN PARENT.

I AM ASKING EACH OF YOU AS MEMBERS OF THE EDUCATION COMMITTEE TO SUPPORT SENATE BILL 746, WHICH WILL PROVIDE EDUCATIONAL BENEFITS FOR THE SPOUSE AND CHILDREN OF THE SLAIN OFFICERS. THIS BILL DOES NOT PROVIDE THE TOTAL COST OF AN EDUCATION. IT MERELY PROVIDES FOR THE ENROLLMENT FEES TO ATTEND A KANSAS BOARD OF REGENTS INSTITUTION. I BELIEVE WE OWE THE CHILDREN AND SPOUSE OF SLAIN POLICE OFFICERS AN EDUCATIONAL PROTECTION.

TOPEKA LODGE NO. 3



TOPEKA, KANSAS

March 28, 1988

Dear Senator:

Attached you will find a copy of excerpts from an article prepared by Dan Holt, published in Kansas History, regarding law enforcement officers who have lost their lives in the line of duty since the 1970s.

If the proposed senate bill were adopted, there would be twenty dependent children eligible in the future for educational programs. This senate bill also proposes educational benefits for a surviving spouse if he or she enrolls in school within five years of their spouse's death. There are five surviving spouses within the past five years. However, one spouse has remarried, and one spouse has left the state. That leaves a total of three spouses who would be eligible for benefits under the proposed senate bill.

Of the twenty surviving dependent children, there are only six who would be eligible for educational benefits for FY88.

In terms of total cost for FY88, it is our belief that if all the dependent children eligible this year (6) and all the eligible spouses (3) attended an educational institution, that the fiscal note would not be overburdening.

Based on an average enrollment fee at one of the Board of Regents' Institutions with the high of K.U. at \$1,325 per year to a low of \$1,070 per year at K-State, the total cost if all dependents enrolled would range from \$11,925 to \$9,630.

Personally, we do not believe all eligible dependents will attend college in FY88. From the 1986 Building Report of High School Graduates approximately 33% of Kansas high school graduates attend college.

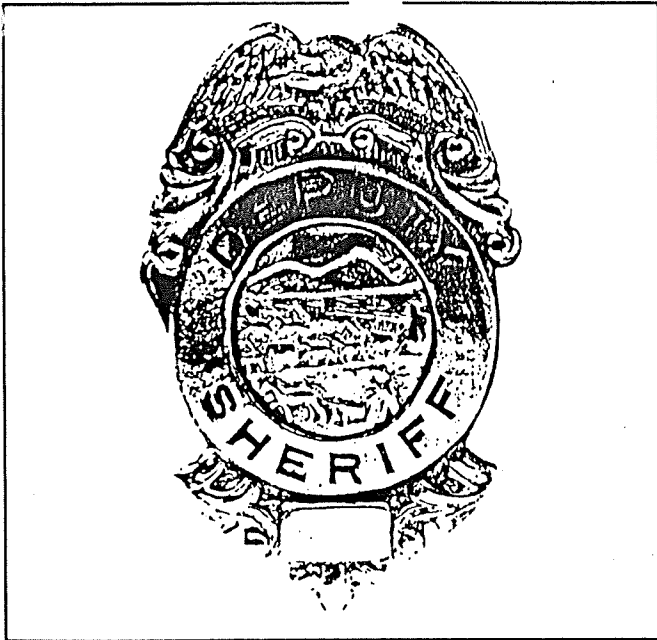
We kindly appreciate the opportunity to make an appearance and respectfully request that you strongly consider the proposed senate bill.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Ken Gorman". The signature is fluid and cursive, written over a horizontal line.

Ken Gorman
Fraternal Order of Police

KG:vlb



Officer Lucher and his partner, Howard Berry, were on patrol when they observed another officer, Robert Mackey, pursuing a suspect. The officer chased the suspect into an alley and ordered him to surrender. He complied, but as Officers Lucher and Berry approached him, he pulled a gun and opened fire, hitting and killing Lucher. The suspect was shot and killed by the other officer. It was learned later that the killer was wanted by police for other crimes.¹⁵⁵

1970s

Gerald A. Foote
City: Olathe County: Johnson
Type of Officer: Sheriff Department Detective
Date of Death: April 3, 1971
Type of Crime: None
Type of Death: Automobile Accident
Age: 32

With Olathe police officer Herbert Hogue, Detective Foote was on a routine investigation in his unmarked patrol car. The car collided with another vehicle. Foote died shortly after the accident. Officer Hogue recovered.¹⁵⁶

Kenneth M. Kennedy
City: Hutchinson County: Reno
Type of Officer: Police Officer
Date of Death: September 15, 1972
Type of Crime: Bootlegging
Type of Death: Gunshot
Age: 23

Officer Kennedy was making an undercover purchase of alcoholic beverages at a location suspected to

be bootlegging and operating illegal gambling devices. After making the purchase, Officer Kennedy and fellow officer John Coldren identified themselves and attempted to make the arrest.

As the officers scuffled with suspect Elmo Anderson, a Mrs. Jobe came from the kitchen with a gun and shot Coldren and Kennedy. Before he was shot, Kennedy shouted a warning at Coldren who turned, thus causing the shot to miss a vital mark. Kennedy shot Mrs. Jobe before he died.

Coldren survived his wound. Mrs. Jobe was convicted of second degree murder.¹⁵⁷

Larry G. Beery
City: Kingman County: Kingman
Type of Officer: Police Captain
Date of Death: April 15, 1973
Type of Crime: Burglary
Type of Death: Gunshot
Age: 29

While making a routine building check at a drug clinic, Captain Beery, in plain clothes, was evidently ambushed by an unknown assailant or assailants. He was taken a short distance to an alley, forced to kneel, and was shot in the head with his own weapon. The night patrol had been initiated because of a large number of burglaries in the area.¹⁵⁸

James D. Thornton
City: Topeka County: Shawnee
Type of Officer: Kansas Highway Patrol
Date of Death: October 2, 1973
Type of Crime: Routine Investigation
Type of Death: Gunshot
Age: 52

Trooper Thornton stopped to investigate a hitchhiker on I-70 east of Topeka, unaware that the man was wanted in New York for murder. The hitchhiker shot and killed Thornton and was himself shot and killed by other officers after he refused to surrender.¹⁵⁹

Elmer L. Nonnast
City: Newton County: Harvey
Type of Officer: Game Warden
Date of Death: May 8, 1974
Type of Crime: Illegal Fishing
Type of Death: Heart Attack
Age: 37

Warden Nonnast and another game warden were patrolling the Arkansas River investigating reported illegal snagging and hand fishing. They arrested one person, and as they were leaving, they observed another group of fishermen illegally hand fishing. One member

157. *Topeka Daily Capital*, September 16, 1972; report, September 16, 1972, Hutchinson Police Department; Hutchinson Police Department files.

158. *Kingman Journal*, April 17, 1973; Kingman Police Department files.

159. Kansas Highway Patrol files.

155. *Kansas City, Kansas, Police Department Memorial*.

156. *Olathe Daily News*, April 5, 1971; Johnson County Sheriff's Department files.

he group fled and Nonnast jumped on foot. Upon returning to the remaining violators he became engaged in a violent argument. When the officers left the scene, Nonnast suffered a heart attack and he later died at a hospital.¹⁶⁰

Roy V. Johnson
City: Wichita County: Sedgwick
Type of Officer: Sheriff's Detective
Date of Death: October 31, 1974
Type of Crime: Escape Attempt
Type of Death: Gunshot
Age: 43

In an attempt to escape, a county prisoner seized a police officer's gun. During the ensuing scuffle, the officer was shot and the prisoner continued his escape. Detective Johnson and another officer responded to the shooting and attempted to rescue the wounded officer and capture the prisoner. In the attempt, both Johnson and the other officer were shot. Another officer responding was also shot by the prisoner. Detective Johnson was dead on arrival at the hospital.

Detective Johnson was awarded the department's Medal of Honor.¹⁶¹

Marcus W. Hood
City: Topeka County: Shawnee
Type of Officer: Police Officer
Date of Death: November 1, 1974
Type of Crime: None
Type of Death: Air Accident
Age: 40

Officer Hood was killed while on patrol in his police helicopter. The drive shaft broke, causing the helicopter to crash. Hood purposely chose to maneuver his craft to avoid hitting an automobile loaded with passengers.¹⁶²

Jerry R. Ivey
City: Salina County: Saline
Type of Officer: Police Officer
Date of Death: June 13, 1975
Type of Crime: Robbery
Type of Death: Gunshot
Age: 27

Officer Ivey stopped a vehicle answering the description of a car used moments earlier in a robbery at a Dillon's grocery store. The suspect jumped from the car, sprayed the officer with mace, and both men drew their weapons. Ivey fired six rounds and the suspect fired twelve. As Ivey attempted to reach his shotgun in the patrol car, the suspect shot him in the back. Following a chase and additional gunfire the suspect was captured by several police officers.¹⁶³

160. Kansas Fish and Game Department files, Law Enforcement Division, Pratt, Kansas.

161. *Wichita Eagle*, October 31, November 1, 1974; Sedgwick County Sheriff's Department files.

162. Topeka Police Department files.

163. *Salina Journal*, June 14, 1975; Salina Police Department files.

Carl A. Simons
City: Leoti County: Wichita
Type of Officer: Chief of Police
Date of Death: May 25, 1976
Type of Crime: Parole Violation
Type of Death: Gunshot
Age: 42

North of Leoti, Chief Carl Simons stopped a car driven by Richard McCowan, who was in violation of parole. A general request for McCowan's arrest had been circulated, and Simons stopped McCowan on that charge. McCowan, who had his children with him in the car, was handcuffed by Officer Simons and was taken to the officer's car, but McCowan returned to his car to check on his children.

At his car, McCowan retrieved his gun (probably given to him by one of his children) and walked back to the police car. While still handcuffed, McCowan engaged in a struggle with Simons, and Simons was shot and killed.

When Simons did not report in from duty, his wife went to look for him and found him.

McCowan was captured in Eads, Colorado, three hours after the incident.¹⁶⁴

Paul J. Weber
City: Kansas City County: Wyandotte
Type of Officer: Parole Officer
Date of Death: October 19, 1976
Type of Crime: Parole Violation
Type of Death: Stabbing
Age: 26

Parole Officer Weber went to the home of a parolee at the mother's request to have her son move out. As Weber followed the parolee into the kitchen, the man seized a butcher knife and stabbed Officer Weber to death. The parolee was convicted of assault on a law enforcement officer and first degree murder.¹⁶⁵

Archie K. Jacobs
City: Elkhart County: Morton
Type of Officer: Deputy Sheriff
Date of Death: November 26, 1976
Type of Crime: None
Type of Death: Automobile Accident
Age: 22

On patrol in a zero visibility blizzard, Jacobs' car and another vehicle collided at a rural intersection. Jacobs had been on the force for two years and was only twenty-two years old when he died.¹⁶⁶

164. *Hutchinson News*, May 26, 1976; *Garden City Telegram*, May 26, 1976; *Salina Journal*, January 6, 1977; Wichita County Sheriff's Department files. *The Kansas Peace Officer* (June 1976) and *Leoti Standard* (clippings) and death certificate, scrapbook, Carlissa Simons Bishop.

165. *Topeka State Journal*, October 20, 1976; Kansas State Department of Corrections files.

166. *Southwest Daily Times*, Liberal, November 27, 1976; Morton County Sheriff's Department files.



David L. VanMeter
 City: Minneapolis County: Ottawa
 Type of Officer: Police Officer
 Date of Death: August 11, 1977
 Type of Crime: None
 Type of Death: Automobile Accident
 Age: 27

Officer VanMeter was probably on his way to check the city-county airport when his car careened off the highway in a heavy rain. He was killed instantly in the accident. VanMeter was the first officer in Ottawa County to die in the line of duty.¹⁶⁷

Conroy G. O'Brien
 City: Matfield Green County: Chase
 Type of Officer: Kansas Highway Patrol
 Date of Death: May 24, 1978
 Type of Crime: Traffic
 Type of Death: Gunshot
 Age: 26

Trooper O'Brien of the Highway Patrol had stopped a car, occupied by three people, for speeding near Matfield Green. He was killed by gunshot during the stop.¹⁶⁸

Michael Haen
 City: Kansas City County: Wyandotte
 Type of Officer: Reserve Police Officer
 Date of Death: July 28, 1978
 Type of Crime: Traffic
 Type of Death: Gunshot

Reserve Officer Haen was sent to assist with traffic control at an accident scene. During the investigation a

167. Newspaper clippings, August 11, 1977, scrapbook, city clerk, Minneapolis, Kansas.

168. *Topeka State Journal*, May 24, 1978; Kansas Highway Patrol files.

police officer attempted to make an arrest. A disturbance began, shots were exchanged between the officer and the suspect, and Haen was hit. He died at the hospital a short time later.¹⁶⁹

Donald R. Martin
 City: Lansing County: Leavenworth
 Type of Officer: Corrections Officer
 Date of Injury: August 14, 1978
 Date of Death: August 19, 1978
 Type of Crime: Escape Attempt, Penitentiary
 Type of Death: Beating
 Age: 42

Corrections Officer Martin had been assigned to the state penitentiary hospital unit. He was attacked and fatally beaten by an inmate who was holding a female hostage during an escape attempt. Martin resided in Leavenworth.¹⁷⁰

Stephen L. Hopper
 City: El Dorado County: Butler
 Type of Officer: Sheriff's Patrol Sergeant
 Date of Death: May 19, 1979
 Type of Crime: Civil Disturbance
 Type of Death: Automobile Accident
 Age: 26

Sergeant Hopper, a former Andover chief of police, was responding to a civil disturbance call. En route, he was killed in an automobile accident.¹⁷¹

John T. Morgan
 City: Goessel County: Marion
 Type of Officer: Reserve Deputy Sheriff
 Date of Death: May 22, 1979
 Type of Crime: Civil Disturbance
 Type of Death: Gunshot
 Age: 47

Reserve Deputy Sheriff Morgan answered a family disturbance call in the town of Goessel. His son was with him at the time. As Morgan exited his car he was shot with a rifle and killed. As a result of the civil disturbance, the assailant also killed his ex-wife and wounded her boyfriend.¹⁷²

1980s

Paul Garofalo
 City: Wichita County: Sedgwick
 Type of Officer: Police Officer
 Date of Death: November 8, 1980
 Type of Crime: Routine Stop
 Type of Death: Gunshot

169. *Kansas City, Kansas, Police Department Memorial*.

170. *Topeka State Journal*, August 13, 15, 1978; Kansas State Department of Corrections files.

171. Butler County Sheriff's Department files and compilations from the *Augusta Daily Gazette*, *El Dorado Times*, and *Wichita Eagle-Beacon*.

172. *Marion County Record*, Marion, May 30, 1979; Marion County Sheriff's Department files.

Officer Garofalo was on patrol when he stopped to question two women on the street. As he stopped his car, a man emerged and approached his car on the driver's side. The man fired a shotgun through the car window and killed the officer instantly.¹⁷³

Ferdinand F. Pribbenow
City: El Dorado County: Butler
Type of Officer: Kansas Highway Patrol
Date of Death: July 7, 1981
Type of Crime: Traffic
Type of Death: Gunshot
Age: 46

Trooper Pribbenow was shot and fatally wounded after a traffic stop on the Kansas Turnpike north of El Dorado.¹⁷⁴

Robert D. Hurd
City: Lansing County: Leavenworth
Type of Officer: Corrections Officer
Date of Death: October 11, 1981
Type of Crime: None
Type of Death: Stabbing
Age: 41

Corrections Officer Hurd was stabbed to death by an inmate at the state penitentiary. The inmate was angered by a disciplinary report that Hurd was about to file. Officer Hurd lived in Olathe.¹⁷⁵

Danny Laffey
City: Wichita County: Sedgwick
Type of Officer: Police Officer
Date of Death: January 5, 1982
Type of Crime: Public Disturbance
Type of Death: Accident

Officer Laffey was investigating a disturbance call at the Zanzibar Club. He had stopped a suspect vehicle in the street and was in the process of removing the occupants when a passing vehicle, traveling at a high rate of speed and having defective brakes, jumped the curb and struck Officer Laffey.¹⁷⁶

Alvin T. Wolf, Jr.
City: El Dorado County: Butler
Type of Officer: Sheriff's Patrol Sergeant
Date of Death: April 19, 1982
Type of Crime: Traffic, Hit-and-Run Pursuit
Type of Death: Rammed by semi-trailer truck
Age: 29

A semi-truck driver, involved in several hit-and-run accidents, was being pursued through Sedgwick County. As he approached the Butler County line he encountered a roadblock that had been set up by the Butler

County Sheriff's Department. The driver of the truck ran the roadblock and Deputy Wolf gave chase. Wolf passed the truck hoping to get in front and slow the truck down. The offending vehicle rammed the deputy's car several times, finally locking bumpers. The truck and patrol car left the road and rammed a house, killing Wolf instantly.¹⁷⁷

Donald R. Harbour
City: Ogden County: Riley
Type of Officer: Police Officer
Date of Death: August 9, 1982
Type of Crime: Routine Investigation and Response
Type of Death: Gunshot
Age: 49

Officer Harbour, assigned to patrol duty in Ogden, responded to a routine call about suspicious activity at a pawnshop. Reportedly one man was attempting to sell a rifle as two others remained in a car outside. As Harbour ordered the two to step out of the car, they attempted to drive away. Harbour shot the tires out, and one suspect fired back, hitting Harbour.

The man inside the shop was arrested, while another was arrested after he had abducted a woman and wrecked his car. The third was killed in a car crash as he attempted to run a roadblock.¹⁷⁸

Douglas E. Bunch
City: Kansas City County: Wyandotte
Type of Officer: Police Officer
Date of Death: March 29, 1983
Type of Crime: Burglary
Type of Death: Heart Attack
Age: 38

While assisting with a burglary call, Bunch took part in a foot pursuit. Following the incident, Bunch, thirty-eight years old, stopped for a lunch break, was stricken with a heart attack, and died.¹⁷⁹

James L. Reynolds
City: Kansas City County: Wyandotte
Type of Officer: Deputy Sheriff
Date of Death: August 4, 1984
Type of Crime: Traffic
Type of Death: Accident
Age: 41

Reynolds, a member of the motorcycle division, was assisting in the pursuit of a fleeing traffic offender. He lost control of his cycle and in the accident he received massive internal injuries. Normally a fulltime booking officer, Reynolds had voluntarily worked with officers on the motorcycle unit.¹⁸⁰

173. *Wichita Eagle-Beacon*, August 28, 1981; Martens, *Wichita Police Department History*, 4.

174. Kansas Highway Patrol files.

175. *University Daily Kansan*, Lawrence, October 12, 1981; *Beloit Daily Call*, October 16, 1981; *Kansas City Kansan*, October 12, 1981.

176. Martens, *Wichita Police Department History*, 4.

177. Butler County Sheriff's Department files and compilations from *Augusta Daily Gazette*, *El Dorado Times*, and *Wichita Eagle-Beacon*.

178. Riley County Police Department files; *Manhattan Mercury*, August 9, 10, 11, 12, 13, 14, 15, 1982.

179. *Kansas City Kansan*, March 29, 1983; *Kansas City, Kansas, Police Department Memorial*.

180. Henry, Johnson, Owens, *Wyandotte County Sheriff's Deputies*.



Deanna Hummel Rose
City: Overland Park County: Johnson
Type of Officer: Police Officer
Date of Injury: January 24, 1985
Date of Death: January 26, 1985
Type of Crime: Traffic
Type of Death: Intentionally Struck by Automobile
Age: 26

Officer Rose, the first woman officer to be killed in the line of duty in Kansas and the only city officer to be killed in Overland Park, had stopped a vehicle and was attempting to arrest the driver on suspicion of driving while intoxicated. She was fatally injured when the suspect driver knocked her to the ground and then intentionally struck her with the vehicle. She died two days later from the injuries. Prior to working for the Overland Park Police Department, she had graduated from Wichita State University in Criminal Justice, and

had been a member of the San Diego, California, County Sheriff's office.¹⁸¹

Maureen Gentry Murphy
City: Bonner Springs County: Wyandotte
Type of Officer: Police Officer
Date of Death: January 31, 1986
Type of Crime: None
Type of Death: Gunshot
Age: 28

The second, and only other, woman police officer killed in the line of duty in Kansas is Officer Murphy. At work in her patrol car filling out reports, she was killed by a sniper who shot through the window of the car with a high-powered rifle. The suspect apprehended for the murder hanged himself in his cell.

Officer Murphy's husband is a Kansas City, Kansas, police detective.¹⁸²

Donald Pittenger
City: Wamego County: Pottawatomie
Type of Officer: Deputy Sheriff
Date of Injury: April 24, 1986
Date of Death: April 27, 1986
Type of Crime: Civil Disturbance
Type of Death: Stroke
Age: 55

Deputy Pittenger was dispatched to a residence northeast of St. George to investigate a domestic disturbance between two males and a female. Shots had been fired. With assistance of Wamego and St. George police officers, Pittenger separated the individuals and secured two weapons. While taking a statement, Deputy Pittenger complained of feeling ill, went to his car, and collapsed. He died as a result of a stroke three days later.¹⁸³ KH

181. Overland Park Police Department files; Johnson County Historical Society files.

182. *Bonner Springs-Edwardsville Chieftain*, February 6, 13, 20, 1986; *Kansas City Kansan*, February 2, 3, 4, 5, 6, 7, 1986.

183. *Topeka Capital Journal*, April 28, 1986; Pottawatomie County Sheriff's Department files.

TOPEKA LODGE NO. 3



TOPEKA, KANSAS

March 28, 1988

Dear Senators:

On behalf of the 1500 members of the Kansas Fraternal Order of Police, I ask your favorable consideration of the proposed legislation to provide educational benefits to dependents of law enforcement officers who die in the line of duty. This legislation is of top priority to the members of the F.O.P.

This legislation is not a unique concept. Many states, including Missouri, Tennessee, Kentucky, and Illinois have similar legislation that has been acted upon favorably. We ask that you do the same.

The line of duty death of a police officer is tragedy to not only the officer's family, but to the community as well, for it is the interests of the community that a law enforcement officer serves. In time the shock to the community lessens, but for the family members left behind the burden continues. It is true that most officers' families will receive some type of death benefit through a pension or other grant. However, I know of no monies available to survivors of law enforcement officers that specifically is designated to pay the expense of educating the officers' dependents.

We feel this to be appropriate and needed legislation and ask for your favorable consideration.

Sincerely,

Kenneth W. Gorman
President of Topeka Lodge #3
Fraternal Order of Police

KG:vlb

TOPEKA LODGE NO. 3



TOPEKA, KANSAS

Dear Senator:

Attached is the proposed bill which would provide educational benefits for law enforcement dependents, if the law enforcement officer dies or is disabled as a result of performing his/her duties.

The bill does the following:

Limits the definition of law enforcement officer to KSA 74-5602.

Limits dependents eligible for enrollment up to the age of 21.

The dependent must attend a Kansas Board of Regents institution. No benefit for attending out of state schools.

Limits education to enrollment fees. Does not pay for books, room, board.

A surviving spouse must attend a school within 5 years of the law enforcement officer's death. The spouse is not eligible if they have re-married.

Limits education to be completed within 10 semesters once dependent has enrolled.

TESTIMONY

SENATE EDUCATION COMMITTEE

SENATE BILL 746

March 28, 1988

The Kansas State Troopers Association supports and urges the passage of Senate Bill 746. Every day a Trooper goes to work, he is faced with the possibility of being killed in the line of duty. We feel this is a sacrifice that no other state employee faces and should entitle the survivors of the Trooper to this benefit.

The passage of Senate Bill 746 would assure that the spouse and dependent children would have the opportunity to further their education. In some cases this would also allow the spouse to retrain in order to enter the job market.

We urge the passage of Senate Bill 746 as written.

accountability initiatives that focus greater attention on the very important vocational education role of the community colleges. In that spirit, this recommendation may be viewed as an incentive to affect the nature of the community college as an educational institution. The proposed 2.0 multiple would provide additional state aid for 17 of the community colleges. (Cowley County and Pratt now receive such aid based on a 2.0 multiple.) The estimated FY 1988 cost of implementing this recommendation is \$3.1 million. This additional funding should induce those institutions to give greater attention to their job training role. The importance attached to this incentive in future years may be determined directly by the Legislature, depending on the multiples it determines appropriate to assign to this aid program. State gaming revenues earmarked for economic development should be considered for funding of this recommendation.

Recommendation 6

It is imperative that the Legislature fund capital outlay programs for the acquisition by purchase or lease of instructional equipment by vocational schools and community colleges. Therefore, the vocational school capital outlay aid program (K.S.A. 72-4440, et seq., as amended) should be expanded to include community colleges. The Task Force recommends that \$2.0 million be provided for this program in FY 1988 and thereafter. This program should be competitive. Also, the state pool of instructional equipment program (K.S.A. 72-4444, et seq.) should be funded. The Task Force recommends that a minimum of \$250,000 be provided for this program in FY 1988.

A pressing need of public vocational training programs is equipment that is relevant to applications compatible with systems found in business and industry. Too often, the schools have available to them too little equipment or equipment that is largely antiquated. Funds that can be allocated for equipment are scarce, forcing many programs to operate below the desired standard.

The Task Force urges a greater state commitment to an upgraded equipment program, including expansion of the present program to include community colleges and funding for the state pool of instructional equipment program. The 1985 Legislature appropriated \$1.5 million in FY 1986 aid for vocational school instructional equipment. Any amounts awarded to institutions had to be matched dollar for dollar from nonstate sources. The 1986 Legislature provided no FY 1987 funding for this program. That action has sent the wrong message to the schools and to the business community. The Task Force's proposal of \$2.0 million for this program would return it to the level of funding in each of FYs 1978-1980, the first three years of the existing program. We must recognize that the lack of an adequate investment in equipment can be a severe impediment to being more competitive in business training. The state commitment to providing adequate equipment for vocational training programs should be renewed and expanded.

The state pool of instructional equipment program was enacted in 1985, but has never yet been funded. It is time to implement this program.

The Task Force believes state gaming revenues earmarked for economic development should be considered as a source of funding these recommendations.