

Approved March 30, 1989
Date

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

The meeting was called to order by Representative Michael O'Neal at
Chairperson

3:30 ~~am~~ p.m. on March 15, 1989 in room 313-S of the Capitol.

All members were present except:

Representatives Fuller, Gomez, Peterson and Vancrum, who were excused.

Committee staff present:

Jerry Donaldson, Legislative Research Department
Jill Wolters, Revisor of Statutes Office
Mary Jane Holt, Committee Secretary

Conferees appearing before the committee:

Randy Hearrell, Judicial Council
Susan Stanley, Assistant Attorney General, Child Abuse Division
Jim Clark, Kansas County and District Attorneys Association

HEARING ON S.B. 58 - Appointment of non-judicial personnel for district courts

Randy Hearrell testified the Senate amendments should be stricken.

The hearing on S.B. 58 was closed.

Representative Snowbarger moved to strike the Senate amendments to S.B. 58. Representative Jenkins seconded the motion. The motion passed.

Representative Snowbarger moved and Representative Jenkins seconded to report S.B. 58, as amended, favorably for passage. The motion passed.

HEARING ON S.B. 79 - Expungement of certain convictions or records not permitted

Susan Stanley, Assistant Attorney General, Child Abuse Division, testified S.B. 79 prohibits the expungement of convictions of the attempt to commit sex crimes against young people, see Attachment I.

Jim Clark, Kansas County and District Attorneys Association, urged the Committee to pass S.B. 79.

The hearing was closed on S.B. 79.

CONSIDERATION OF BILLS:

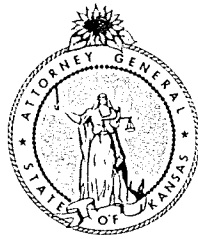
S.B. 51 - Facsimile considered original document in certain situations

A motion was made by Representative Shriver and seconded by Representative Scott to report S.B. 51 favorably for passage. The motion passed.

S.B. 34 - Rebutting the presumption of paternity; court ordered tests

A motion was made by Representative Walker and seconded by Representative Shriver to table S.B. 34. The motion passed.

The Committee meeting was adjourned at 4:35 p.m. The next meeting will be Thursday, March 16, 1989, at 3:30 p.m. in Room 313-S.



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TESTIMONY OF
ASSISTANT ATTORNEY GENERAL SUSAN STANLEY
TO A SUBCOMMITTEE OF HOUSE JUDICIARY
RE: S.B.79
MARCH 15, 1989

I am here today on behalf of Attorney General Bob Stephan to request your approval of Senate Bill 79 which takes one more step toward the protection of our youth and hopefully will further assist society to recognize those among us who have committed sex crimes against our children.

As you are aware, this act will prohibit the expungement of convictions of the attempt to commit sex crimes against young people. We feel that this further action is necessary to prevent a good faith plea negotiation from ruining the life of another victim a few years subsequent or enable a sex offender to erase his record merely because he was apprehended at a time during the commission of one of these heinous crimes but before the crimes' completion.

I am not able to provide you with a statistical analysis of this problem, but I can tell you from experience that when a prosecution involves a sex offense, background

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Attachment I

investigations invariably reveal prior victims. The cases are sometimes prosecuted, sometimes not, but the victims are almost always shattered. By this action you are going to make it more difficult for these offenders to be repeat offenders.

Passage of this bill would be a great step forward in the prevention of child sexual abuse that will not tap the state budget or further crowd our prisons. It is merely a move to save some children from being victims.

*H. J. 3/15/89
Att I*