Approved **February 8, 1990**
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY.

The meeting was called to order by Senator Wint Winter, Jr. at
Chairperson

10:00 a.m./~~p.m.~~ on January 26, 1990 in room 514-S of the Capitol.

All members were present except: Senators Yost, Moran, Feleciano, Gaines, Martin and Rock who were excused

Committee staff present:
Mike Heim, Legislative Research Department
Gordon Self, Office of Revisor of Statutes
Judy Crapser, Secretary to the Committee

Conferees appearing before the committee:

Jean Schmidt, Assistant Shawnee County District Attorney
Melanie Jack, Assistant Shawnee County District Attorney
Dr. James McHenry, Child Abuse Prevention Council
Robert Barnum, Commissioner of Youth Service, SRS
Cindy Kelly, Kansas Association of School Boards
Lori Parsons, Peadiatric Nurse at Stormon-Vail Memorial Hospital
Jack L. Snavely, President, Alliance of Concerned Christian Homes

The Chairman called the meeting to order by reviewing the testimony heard the previous two meetings, January 24 and 25, 1990. The committee is continuing its study on child abuse prevention and hearings on:

- SB 231 - Endangering a child to include failure to report child abuse by certain persons.
- SB 297 - Crime to knowingly make false allegations of child abuse and neglect.
- SB 306 - Disclosure of records and reports of child abuse or neglect.
- SB 522 - Concerning child abuse.
- SB 544 - Time limit for commencement of civil actions for damages suffered as a result of childhood sexual abuse.

Jean Schmidt, Assistant Shawnee County District Attorney, presented testimony addressing SB 231. She suggested attention be given to subsection (a) as it needs rewording to be constitutional, and subsection (c) include further definition of "household." The lack of a household definition, in her opinion, would cause difficulties to law enforcement and others. She stated she supported Mr. Van Petten's' comments at Thursday's meeting, January 25.

Melanie Jack, Assistant Shawnee County District Attorney, testified in support of SB 231, if the language could be changed to be constitutional, it would help in prosecuting future "cruel and unusual punishment" cases. She expressed her further concern with defining what constitutes permissible corporal punishment.

Ms. Schmidt and Ms. Jack supported SB 522, specifically including law enforcement officers in line 14-25 on page 4 of the bill. They expressed their opposition to SB 297, they feel it creates more problems than it would solve and is not needed since, in their opinion, an adequate remedy now exists for any problem that would arise. They supported SB 522 as a step in solving some of the problems that exist with investigations.

Dr. James McHenry, Child Abuse Prevention Council, shared information regarding problems that could arise with the federal government if SB 522 were to pass as currently written. (ATTACHMENT I)

Robert Barnum, Commissioner of Youth Service, SRS, stated that verbal confirmation had come from federal HHS Region VII of their problems with SB 522 as it is currently written regarding confidentiality.

The committee returned to Ms. Schmidt and asked her to address the specific situation that was presented by Ms. Lynne Bourne during her testimony on Thursday, January 25.

She stated she could not discuss it as a decision had not yet been made regarding filing of charges. She did state that in Shawnee County during the previous eighteen months five children under five years of age died with a clinical diagnosis of abuse, so the case in question was not unique. She stated the prosecutors problem is there is rarely any hard evidence in these cases.

Ms. Schmidt stated the District Attorney's office had talked with SRS due to a multitude of complaints about SRS. She expressed her observation that there has been a reduction in referrals since the budget problems in foster care. The number of requests from SRS for removal of children to foster care are declining. The police officers are now removing children from suspected dangerous abuse situations rather than SRS, even when SRS has the same investigative information as the police. Ms. Jack expressed her opinion that the committee needs to hear from the people involved in these cases to get a better understanding of the situation, both the active employees and those who have left the agencies. Ms. Schmidt added that her interpretations may be inaccurate because of her different perspective. However, the District Attorney has been involved in more cases recently. Five SRS employees had told her personally they are being told to not remove children, that their professional judgments have been overruled by budget constraints, and children are being endangered as a result. She said specific details could not be disclosed in a public hearing.

During questioning from the committee Ms. Schmidt disclosed that the District Attorney's office and the schools are undertaking more and more functions that should be done by SRS, with police officers doing the follow up. Also, when the D.A.'s office called to inquire what had happened with a specific complaint, the SRS office responded, "We are not a preventative maintenance organization, something has to happen before we are involved." The result was law enforcement conducted the investigation of this complaint.

The Chairman stated that he would have the staff look into the possibility of holding a closed session in order to investigate the sensitive information that could not be disclosed in a public meeting concerning endangered children in volatile situations.

Cindy Kelly, Kansas Association of School Boards, testified in opposition of SB 297 (ATTACHMENT II) and in support of SB 522 to improve the communications between all agencies for the protection of children.

Lori Parsons, pediatric nurse at Stormont Vail Medical Center, testified in regard to child neglect. She shared her experiences with various examples of parents neglecting their children of emotional support, such as ignoring a child throughout a hospital stay, through a parent neglecting to provide proper care to a diabetic, and others. She added that since generally these situations are not as obvious as physical abuse, there is rarely the interest or attention from SRS to the family situation that she feels is necessary to prevent the child's further endangerment. She stated, in her experience, SRS does service physical abuse cases but not neglect cases. She feels these are high risk cases but not a lot of investigation or follow up is ever done. In response to questioning from the committee, Ms. Parsons stated she could not give more specific examples or details at a public meeting.

The Chairman asked Ms. Parsons to prepare what she could in written form and submit it to his office. He added that a follow up hearing would be held at a later date to address the problems and dangerous situation that now appears to exist for endangered children.

Jack L. Snavely, President, Alliance of Concerned Christian Homes, presented testimony in opposition of SB 231. (ATTACHMENT III)

Robert Barnum, Commissioner of Youth Services, SRS, addressed the committee in angry response to testimony presented. He declared that since he was commanded to be present, with counsel, he was prepared to talk about the specific case brought up by Ms. Bourne and to respond to the charges brought by Ms. Schmidt. He said that SRS would follow

up on any case that she cared to submit. He stated he felt he was being treated unfairly in these hearings. He felt the committee owed it to his office to follow up in detail on the various charges brought and if they (his office) are wrong they would admit it. He added that he has good people, good workers that are getting crucified for doing nothing wrong. He stands behind what his people did. He added he thought it was unfair that everyone would go home for the weekend with all of the allegations fresh in their minds without his office having an opportunity to respond.

The Chairman answered Mr. Barnum by stating he asked the Commissioner to attend today's meeting because after hearing unsolicited testimony from the public, concerns from professionals in the field, and allegations from district attorneys, the Chairman felt it would only be fair for the Commissioner to be able to respond. He added that the legislature is here to assist SRS in fulfilling their tasks and to ensure the protection of children in Kansas. He assured the Commissioner that there will be a follow up of these hearings and everyone will have an opportunity to respond. He stated that all the committee members have heard very negative reports and SRS may not be at fault, but when the committee hears reports from professional and trained personnel, that the committee would follow up to protect children from harm. The committee appreciates and knows further facts need to be heard.

This concluded the hearings on child abuse and SB 231, SB 297, SB 306, SB 522, and SB 544.

The meeting was adjourned.

GUEST LIST

COMMITTEE: SENATE JUDICIARY COMMITTEE DATE: Jan 26, 1990

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Carla Stovall	RI Perry KS	A.G.'s Office
Cindy Kelly	Topeka	KASB
Jan Clark	Topeka	KCOA
Leon P. Moore	Topeka	Intern D. Kerr
Thomas L. Owens	TOPEKA	SRS
Bob Lamm	TOPEKA	SRS
Gene Arnett	"	"
James B. Frost	"	Youth Services SRS
Leigh W. Bennett	Topeka	SRS
Dan Alford	Fort Lawrence	Observer
Jim McHenry	Topeka	Ks. Child Abuse Prevention Council
KEITH R LADDIS	"	CHRISTIAN SCIENCE COMM ON PUBLICATION FOR KS
Melanie S. Jack	Topeka	Shawnee Cty, D.A. Office
Jean Schmidt	Topeka	"
RG Frey	"	K.T.L.A.
Julene Mashburn	"	A.G.
Mary Koch	"	A.G.

January 26, 1990

Kansas
Child Abuse
Prevention Council

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Wichita, Kansas 67214
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PRIORITY

DATE: January 26, 1990

TO: Senator Wint Winter, Jr.

FROM: Jim McHenry

RE: SB 522

It appears that language related to the sharing of information with school personnel might render Kansas ineligible for several federal grants currently received and directed toward child abuse prevention programs. The grants impacted would be the Basic Child Abuse Neglect (CAN) grant, Disabled Infants, and Criminal Justice Administration funding (CJA), all within the jurisdiction of HHS Region VII.

Apparently a regional administrator has given his opinion that the bill in its current form does not comply with the Part 1 340.14 of the federal regulations for state eligibility. I'm attaching a copy, and direct your attention to the list of agencies, persons and organizations with whom the state may share information.

KCAPC supports the intention of SB 522, but we urge caution lest essential prevention funds be somehow compromised.

State modifies its definition of "child abuse and neglect" to provide that the phrase "person responsible for a child's welfare" includes an employee of a residential facility or a staff person providing out of home care no later than the close of the first general legislative session of the State legislature which convenes following the effective date of these regulations;

(3) The funds are to be used to improve and expand child abuse or neglect prevention or treatment programs; and

(4) The State is otherwise in compliance with these regulations.

(b) At the time of an award under this subpart, the amount of funds not obligated from an award made eighteen or more months previously shall be subtracted from the amount of funds under the award, unless the Secretary determines that extraordinary reasons justify the failure to so obligate.

(c) Except for any requirement under section 4(b)(2)(K) of the Act and § 1340.15 of this part pertaining to medical neglect, a State which, on October 9, 1984, did not meet the eligibility requirements of section 4(b)(2) of the Act and this part and thus did not receive a State grant in FY 1984 may apply for a waiver of any requirement. In order to apply for a waiver, the Governor of the State must submit documentation of the specific measures the State has taken and will be taking to meet the as yet unmet eligibility requirement(s).

(1) State's whose legislatures meet annually may be granted a one-year waiver if OHDS finds that the State is making a good faith effort to comply with such requirement(s). This waiver is renewable for a second year if, based on additional documentation, the Secretary finds the State is making substantial progress to achieve compliance.

(2) States whose legislatures meet biennially may be granted a waiver for a non-renewable period of not more than two years if OHDS finds, based on documentation, the State is making a good faith effort to comply with any such requirement(s).

[48 FR 3702, Jan. 26, 1983, as amended at 52 FR 3995, Feb. 6, 1987]

§ 1340.14 Eligibility requirements.

In order for a State to qualify for an award under this subpart, the State must meet the requirements of § 1340.15 and satisfy each of the following requirements:

(a) The State must satisfy each of the requirements provided in Section 4(b)(2) of the Act.

(b) *Definition of Child Abuse and Neglect.* Wherever the requirements below use the term "Child Abuse and Neglect" the State must define that term in accordance with § 1340.2. However, it is not necessary to adopt language identical to that used in § 1340.2, as long as the definition used in the State is the same in substance.

(c) *Reporting.* The State must provide by statute that specified persons must report and by statute or administrative procedure that all other persons are permitted to report known and suspected instances of child abuse and neglect to a child protective agency or other properly constituted authority.

(d) *Investigations.* The State must provide for the prompt initiation of an appropriate investigation by a child protective agency or other properly constituted authority to substantiate the accuracy of all reports of known or suspected child abuse or neglect. This investigation may include the use of reporting hotlines, contact with central registers, field investigations and interviews, home visits, consultation with other agencies, medical examinations, psychological and social evaluations, and reviews by multidisciplinary teams.

(e) *Institutional child abuse and neglect.* The State must have a statute or administrative procedure requiring that when a report of known or suspected child abuse or neglect involves the acts or omissions of the agency, institution, or facility to which the report would ordinarily be made, a different properly constituted authority must receive and investigate the report and take appropriate protective and corrective action.

(f) *Emergency services.* If an investigation of a report reveals that the reported child or any other child under the same care is in need of immediate protection, the State must provide emergency services to protect the child's health and welfare. These services may include emergency caretaker or homemaker services; emergency shelter care or medical services; review by a multidisciplinary team; and, if appropriate, criminal or civil court action to protect the child, to help the parents or guardians in their responsibilities and, if necessary, to remove the child from a dangerous situation.

(g) *Guardian ad litem.* In every case involving an abused or neglected child which results in a judicial proceeding, the State must insure the appointment of a guardian ad litem or other individual whom the State recognizes as fulfilling the same functions as a guardian ad litem, to represent and protect the rights and best interests of the child. This requirement may be satisfied: (1) By a statute mandating the appointments; (2) by a statute permitting the appointments, accompanied by a statement from the Governor that the appointments are made in every case; (3) in the absence of a specific statute, by a formal opinion of the Attorney General that the appointments are permitted, accompanied by a Governor's statement that the appointments are made in every case; or (4) by the State's Uniform Court Rule mandating appointments in every case. However, the guardian *ad litem* shall not be the attorney responsible for presenting the evidence alleging child abuse or neglect.

(h) *Prevention and treatment services.* The State must demonstrate that it has throughout the State procedures and services deal with child abuse and neglect cases. These procedures and services include the determination of social service and medical needs and the provision of needed social and medical services.

(i) *Confidentiality.* (1) The State must provide by statute that all records concerning reports and reports of child abuse and neglect are confidential and that their unauthorized disclosure is a criminal offense.

(2) If a State chooses to, it may authorize by statute disclosure to any or all of the following persons and agencies, under limitations and procedures the State determines:

(i) The agency (agencies) or organizations (including its designated multidisciplinary case consultation team) legally mandated by any Federal or State law to receive and investigate reports of known and suspected child abuse and neglect;

(ii) A court, under terms identified in State statute;

(iii) A grand jury;

(iv) A properly constituted authority (including its designated multidisciplinary case consultation team) investigating a report of known or suspected child abuse or neglect or providing services to a child or family which is the subject of a report;

(v) A physician who has before him or her a child whom the physician reasonably suspects may be abused or neglected;

(vi) A person legally authorized to place a child in protective custody when the person has before him or her a child whom he or she reasonably suspects may be abused or neglected and the person requires the information in the report or record in order to determine whether to place the child in protective custody;

(vii) An agency authorized by a properly constituted authority to diagnose, care for, treat, or supervise a child who is the subject of a report or record of child abuse or neglect;

(viii) A person about whom a report has been made, with protection for the identity of any person reporting known or suspected child abuse or neglect and any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person;

(ix) A child named in the report or record alleged to have been abused or neglected or (as his/her representative) his/her guardian or guardian ad litem;

(x) An appropriate State or local official responsible for administration of the child protective service or for oversight of the enabling or appropriating legislation, carrying out his or her official functions; and

(xi) A person, agency, or organization engaged in a bonafide research or evaluation project, but without infor-

mation identifying individuals named in a report or record, unless having that information open for review is essential to the research or evaluation, the appropriate State official gives prior written approval, and the child, through his/her representative as cited in paragraph (i) of this section, gives permission to release the information.

(3) If a State chooses, it may authorize by statute disclosure to additional persons and agencies, as determined by the State, for the purpose of carrying out background and/or employment-related screening of individuals who are or may be engaged in specified categories of child related activities or employment. Any information disclosed for this purpose is subject to the confidentiality requirements in paragraph (i)(1) and may be subject to additional safeguards as determined by the State.

(4) Nothing in this section shall be interpreted to prevent the properly constituted authority from summarizing the outcome of an investigation to the person or official who reported the known or suspected instances of child abuse or neglect or to affect a State's laws or procedures concerning the confidentiality of its criminal court or its criminal justice system.

(5) HHS and the Comptroller General of the United States or any of their representatives shall have access to records, as required under 45 CFR 74.24.

[48 FR 3702, Jan. 26, 1983, as amended at 50 FR 14887, April 15, 1985; 52 FR 3995, Feb. 6, 1987]

§ 1340.15 Services and treatment for disabled infants.

(a) *Purpose.* The regulations in this section implement certain provisions of the Child Abuse Amendments of 1984, including section 4(b)(2)(K) of the Child Abuse Prevention and Treatment Act governing the protection and care of disabled infants with life-threatening conditions.

(b) *Definitions.* (1) The term "medical neglect" means the failure to provide adequate medical care in the context of the definitions of "child abuse and neglect" in section 3 of the Act and § 1340.2(d) of this part. The term "medical neglect" includes, but is not limited to, the withholding of medically indicated treatment from a disabled infant with a life-threatening condition.

(2) The term "withholding of medically indicated treatment" means the failure to respond to the infant's life-threatening conditions by providing treatment (including appropriate nutrition, hydration, and medication) which, in the treating physician's (or physicians') reasonable medical judgment, will be most likely to be effective in ameliorating or correcting all such conditions, except that the term does not include the failure to provide treatment (other than appropriate nutrition, hydration, or medication) to an infant when, in the treating physician's (or physicians') reasonable medical judgment any of the following circumstances apply:

(i) The infant is chronically and irreversibly comatose;

(ii) The provision of such treatment would merely prolong dying, not be effective in ameliorating or correcting all of the infant's life-threatening conditions, or otherwise be futile in terms of the survival of the infant; or

(iii) The provision of such treatment would be virtually futile in terms of the survival of the infant and the treatment itself under such circumstances would be inhumane.

(3) Following are definitions of terms used in paragraph (b)(2) of this section:

(i) The term "infant" means an infant less than one year of age. The reference to less than one year of age shall not be construed to imply that treatment should be changed or discontinued when an infant reaches one year of age, or to affect or limit any existing protections available under State laws regarding medical neglect of children over one year of age. In addition to their applicability to infants less than one year of age, the standards set forth in paragraph (b)(2) of this section should be consulted thoroughly in the evaluation of any issue of medical neglect involving an infant older than one year of age who has been continuously hospitalized since birth, who was born extremely premature, or who has a long-term disability.

(ii) The term "reasonable medical judgment" means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

(c) *Eligibility Requirements.* (1) In addition to the other eligibility requirements set forth in this Part, to qualify for a grant under this section, a State must have programs, procedures, or both, in place within the State's child protective service system for the purpose of responding to the reporting of medical neglect, including instances of withholding of medically indicated treatment from disabled infants with life-threatening conditions.

(2) These programs and/or procedures must provide for:

(i) Coordination and consultation with individuals designated by and within appropriate health care facilities;

(ii) Prompt notification by individuals designated by and within appropriate health care facilities of cases of suspected medical neglect (including instances of the withholding of medically indicated treatment from disabled infants with life-threatening conditions); and

(iii) The authority, under State law, for the State child protective service system to pursue any legal remedies, including the authority to initiate legal proceedings in a court of competent jurisdiction, as may be necessary to prevent the withholding of medically indicated treatment from disabled infants with life-threatening conditions.

(3) The programs and/or procedures must specify that the child protective services system will promptly contact each health care facility to obtain the name, title, and telephone number of the individual(s) designated by such facility for the purpose of the coordination, consultation, and notification activities identified in paragraph (c)(2) of this section, and will at least annually recontact each health care facility to obtain any changes in the designations.

(4) These programs and/or procedures must be in writing and must conform with the requirements of section 4(b)(2) of the Act and § 1340.14 of this part. In connection with the requirement of conformity with the requirements of section 4(b)(2) of the Act and § 1340.14 of this part, the programs and/or procedures must specify the procedures the child protective services system will follow to obtain, in a manner consistent with State law:

(i) Access to medical records and/or other pertinent information when such access is necessary to assure an appropriate investigation of a report of medical neglect (including instances of withholding of medically indicated treatment from disabled infants with life threatening conditions); and

(ii) A court order for an independent medical examination of the infant, or otherwise effect such an examination in accordance with processes established under State law, when necessary to assure an appropriate resolution of a report of medical neglect (including instances of withholding of medically indicated treatment from disabled infants with life threatening conditions).

(5) The eligibility requirements contained in this section shall be effective October 9, 1985.

(d) *Documenting eligibility.* (1) In addition to the information and documentation required by and pursuant to § 1340.12(b) and (c), each State must submit with its application for a grant sufficient information and documentation to permit the Commissioner to find that the State is in compliance with the eligibility requirements set forth in paragraph (c) of this section.

(2) This information and documentation shall include:

(i) A copy of the written programs and/or procedures established by, and followed within, the State for the purpose of responding to the reporting of medical neglect, including instances of withholding of medically indicated treatment from disabled infants with life-threatening conditions;

(ii) Documentation that the State has authority, under State law, for the State child protective service system to pursue any legal remedies, includ-

KANSAS ASSOCIATION OF SCHOOL BOARDS

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913-273-3600

TESTIMONY ON SENATE BILL NO. 297
BEFORE THE SENATE JUDICIARY COMMITTEE

BY

CYNTHIA LUTZ KELLY, DEPUTY GENERAL COUNSEL
Kansas Association of School Boards

January 24, 1989

Mr. Chairman, members of the committee, thank you for the opportunity to appear before you today on behalf of our member school districts to speak to you about our concerns with Senate Bill 297.

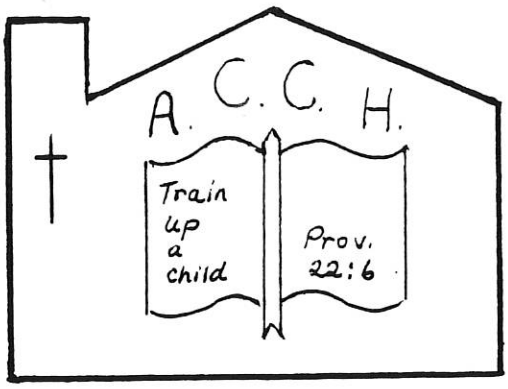
Currently, the child abuse reporting statutes in Kansas are designed to encourage reporting of known or suspected child abuse. Willful and knowing failure to make a report is a class B misdemeanor. K.S.A. 38-1522(f) An employer cannot impose sanctions on an employee for making a report or cooperating in an investigation. K.S.A. 38-1525 A person who makes a report without malice is immune from civil liability that might otherwise be imposed. K.S.A. 38-1526

Even with these safeguards and potential penalties, teachers, counsellors, and administrators are often reluctant to report suspected abuse. Adding a criminal penalty for making a "known to be false" report will only further discourage reporting. "Known to be false" is an extremely nebulous concept. If a student tells a teacher something which leads the teacher to

suspect the child is being abused, and shortly thereafter recants, is the statement "known to be false?" What if the teacher in good faith suspects that the first statement was true? It would appear that the teacher could be criminally punished for reporting, or for not reporting under these circumstances.

While we would discourage putting this penalty into the child abuse reporting statutes, if a criminal sanction is placed in the statute for false reporting, it should at a minimum require a showing of bad faith and malicious intent in making the report.

We request that you recommend Senate Bill 297 unfavorably for passage.



ALLIANCE OF CONCERNED CHRISTIAN HOMES

ROUTE # 1

PERRY, KANSAS 66073

OUR CHILDREN - THE FUTURE OF TOMORROW

JACK L. SNAVELY, PRESIDENT
PHONE 913-597-5235

TESTIMONY BEFORE THE SENATE JUDICIARY COMMITTEE
CONCERNING SB 231
JANUARY 24, 1990

MR. CHAIRMAN AND COMMITTEE MEMBERS:

I WANT TO TESTIFY AGAINST SB 231 FOR THE FOLLOWING REASONS:

LINES 35 & 36 WE STRONGLY DISAGREE WITH THE STATEMENT, "CRUELLY BEATING OR INFLICTING CRUEL AND INHUMAN CORPORAL PUNISHMENT UPON ANY CHILD UNDER THE AGE OF 18 YEARS". EVERYTHING IN LINE 35 & 36 IS ALRIGHT, EXCEPT FOR THE STATEMENT, "OR INFLICTING CRUEL AND INHUMAN CORPORAL PUNISHMENT UPON".

CORPORAL PUNISHMENT SHOULD NOT, IN ANY WAY, BE INTERPRETED AS CRUEL OR INHUMAN.

THERE ARE MANY CHRISTIAN AND NON-CHRISTIAN PEOPLE WHO USE CORPORAL PUNISHMENT TO CORRECT THEIR CHILDREN.

AS CONCERNED PARENTS WE KNOW THE IMPORTANCE OF FIRM, LOVING DISCIPLINE. IF A CHILD IS EVER TO SUBMIT TO THE AUTHORITY OF HIS HEAVENLY FATHER, HE MUST FIRST LEARN TO SUBMIT TO THE AUTHORITY OF HIS EARTHLY PARENTS.

THE BIBLE STRESSES THAT THIS FIRM, LOVING DISCIPLINE OR THE ABSENCE OF DISCIPLINE HAS DIRECT BEARING ON THE ADULT LIFE OF THE CHILD. THERE ARE MANY METHODS OF DISCIPLINE. NO ONE METHOD WILL WORK IN EVERY SITUATION. A GOOD PARENT CHOOSES DIFFERENT METHODS FOR DIFFERENT PROBLEMS. WHAT WILL WORK FOR ONE CHILD MAY NOT WORK WITH THE OTHER, SO A VARIETY OF DISCIPLINES MAY BE NEEDED TO CORRECT THE PROBLEM. WE DO NOT BELIEVE IN CHILD ABUSE IN ANY FORM, NOR IN THE ABUSE OF ANY PERSON, WHETHER HE OR SHE IS UNDER OR OVER THE AGE 18.

MR. CHAIRMAN, WE WOULD LIKE TO SUGGEST THAT THE WORDS, "OR INFLICTING CRUEL AND INHUMAN CORPORAL PUNISHMENT UPON", BE STRUCK FROM LINE 35 & 36. THEN IN LINE 36, ADD THE WORD ON, IN PLACE OF THE WORD, "UPON", THIS WOULD TIE IT TOGETHER NICELY.

IN CONCLUSION, CORPORAL PUNISHMENT SHOULD NOT BE DEFINED AS CRUEL AND INHUMAN PUNISHMENT. WE ASK YOU TO CAREFULLY CONSIDER THIS BILL, AND THAT SB 231 NOT BE REPORTED FAVORABLY IN IT'S PRESENT FORM.

RESPECTFULLY,

Jack L Snavely

MR. JACK L. SNAVELY, PRESIDENT
ALLIANCE OF CONCERNED CHRISTIAN HOMES