

Approved June 26, 1992

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Sen. Edward F. Reilly, Jr. at 11:45 a.m. on May 4, 1992 at the Rail of the Capitol.

All members were present except:

Sens. Ehrlich, McClure and Ward were excused

Committee staff present:

Mary Galligan, Legislative Research Department  
Jeanne Eudaley, Committee Secretary

Conferees appearing before the committee:

None

Sen. Reilly asked members to look at HB 2851, a bill relating to city destruction of weeds. After explanation of the bill, Sen. Bond made a motion the bill be passed favorably, and it was seconded by Sen. Vidricksen. The motion passed, and it will be recommended for passage.

A letter from Rep. Jim Cates regarding the Rodney King jury decision and a proposal relating to protection of jurors was distributed to members (Attachment 1). After discussion, Sen. Vidricksen made a motion the proposal be introduced by the committee. The motion was seconded by Sen. Strick, and the motion passed.

Meeting adjourned at 11:50.

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TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
MEMBER COMMERCIAL AND FINANCIAL  
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ELECTIONS  
FEDERAL AND STATE AFFAIRS

We have all been touched by the recent Rodney King jury decision. I am not standing before you today to defend the policemen who were charged with excess force in this matter. We have all seen the 80 second tape graphically showing the beating given to Mr. King. I am also not defending the jurors who awarded a not guilty verdict.

Whether the jury in this case acted responsibly or irresponsibly, it does not excuse the wanton rioting, arson, and looting occurring throughout our great country.

However, a more dangerous problem has surfaced as a result of the King decision. Papers in California today have published the names, addresses and employers of the 12 jurors in the King case. Twelve persons lives are now in danger. We have a very responsible press corp in Kansas. I cannot imagine this happening in our State.

However, I can see our jury process breaking down as a result of this action. I have a real fear that our responsible Kansans will start avoiding jury selection, as they may perceive their lives to be in danger if we don't initiate protection for them.

I am appealing to leadership on both sides of the aisle to work together to initiate emergency legislation guaranteeing protection for our jurors.

I certainly don't have the answer to curing all of the social ills in our country. However, we as responsible Legislators can initiate action to insure we don't have a complete breakdown of our judicial system.

Again I respectfully ask our leaders to give this matter serious consideration and attempt to protect our current system before we adjourn.

Att. 1  
1

AN ACT concerning criminal procedure; relating to jurors;  
amending K.S.A. 22-3408 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 22-3408 is hereby amended to read as follows: 22-3408. (1) When drawn, a list of prospective jurors and their such jurors' addresses shall be filed in the office of the clerk of the court and shall-be-a-public-record, except as further ordered by the court, the clerk shall not further disclose such list except to the prosecuting attorney and the defendant or such defendant's attorney. The prosecuting attorney, the defendant and the defendant's attorney are hereby prohibited from further disclosing such list.

(2) (a) The qualifications of jurors and grounds for exemption from jury service in civil cases shall be applicable in criminal trials, except as otherwise provided by law.

(b) An exemption from service on a jury is not a basis for challenge, but is the privilege of the person exempted.

(3) The prosecuting attorney and the defendant or his such defendant's attorney shall conduct the examination of prospective jurors. The court may conduct an additional examination. The court may limit the examination by the defendant, his such defendant's attorney or the prosecuting attorney if the court believes such examination to be harassment, is causing unnecessary delay or serves no useful purpose.

Sec. 2. K.S.A. 22-3408 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.