

Approved:

Date
10-07-04

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Ward Loyd at 1:00 p.m. on February 20, 2004 in Room 241-N of the Capitol.

All members were present except:

Representative William Kassebaum – excused
Representative Kevin Yoder - absent

Committee staff present:

Jill Wolters, Revisor of Statutes Office
Jerry Ann Donaldson, Legislative Research Department
Becky Krahl, Legislative Research Department
Connie Burns, Committee Secretary

Conferees appearing before the committee:

Phill Kline, Attorney General
LeRoy Green, Wyandotte County Sheriff
Vernon Chinn, Sheriff Pratt County
Harold Johnston
Maria Holiday
Les Eck

Others attending:

See Attached List.

HB 2815 – New crime of absconding from parole; aggravated indecent solicitation child, severity level 3, person felony; new felony while incarcerated or on postrelease supervision, mandatory imprisonment for new conviction.

Chairman Loyd opened the hearing on **HB 2815**.

Phill Kline, Attorney General, appeared in support of the bill. (Attachment 1) The bill has three sections:

- Section I – Creates crime of absconding
- Section II – Prison Sentence for aggravated indecent solicitation of a child
- Section III – Prison sentence for conviction of a crime while on probation

Sheriff LeRoy Green, Wyandotte County, spoke in support of the bill. (Attachment 2)

Pratt County Sheriff Vernon Chinn, gave examples of support for the bill. (Attachment 3)

Les Eck, Wichita, appeared in support of the auto theft amendment to the bill. (Attachment 4)

Maria Holiday, Kansas Women for Accountable and Responsible Government spoke in favor of two sections of the bill. (Attachment 5)

Mike Jennings, Sedgwick County District Attorney, submitted written testimony in support of the bill. (Attachment 6)

Kansas Peace Officer Association supports this legislation.

Harold Johnston, Wichita Crime Commission, spoke in favor of the bill.

The Bed Impact Statement for this bill will have impact on offender population of 1035 additional prison beds needed in 2005, and 4025 additional prison beds needed in 2014.

Chairman Loyd closed the hearing on **HB 2815**.

The meeting was adjourned at 2:12 PM. The next meeting is February 23, 2004.

HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE
GUEST LIST

DATE 2-20-04

NAME	REPRESENTING
Nancy Baker	Protect
Don McNEELY	KS Auto Dealers Assn.
Jimmie Pater	Horne Co Leadership II
Connie Lewis	Gove County Leadership
Hazel Johnson	Steven Motor Croy
Mike Steven	" " "
Kyle Smith	KBI
William	RUBEN CO. SHERIFF
SHERIFF LARRY GREEN JR.	Wyandott Co. SHERIFF'S OFFICE
Les Eck	Wichita Auto PLRS & Rusty Eck Ford
Michael White	KCDAA
Come Kangas	AG's Office
Maria Holiday	Kansas Women for Accountable & Responsible Govt KWARG
ERIC RUCKER	AG'S OFFICE
PHIL KLINE	ATTORNEY GENERAL
Randall Hodgkinson	N/A
JEREMY S BARCLAY	KDOC
June Butler	KSC
Brenda Harmon	KSC
Patti Biggs	KSC



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

PHILL KLINE
ATTORNEY GENERAL

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February 20, 2004

To: House Corrections and Juvenile Justice Committee
From: Attorney General Phill Kline

Re: HB 2815

Chairman Loyd and Members of the Committee:

I want to thank you for the opportunity to appear before the committee on this important piece of legislation. My purpose is to share with you, the spirit in which the above referenced legislation came to light.

During the summer of 2003, I asked members of law enforcement, county and district attorney's, legislators and individuals from the private sector, to join me in studying the status of our criminal justice system. This group of individuals dedicated to pursuing justice, made up the *Attorney General's Task Force on Crime and Sentencing*.

Members of the task force attended public hearings in Dodge City, Topeka and Kansas City, where they heard from local law enforcement agencies and victims of crime. Through the compilation of data and testimony, the task force convened to discuss potential policy changes and to forward recommendations to my office.

HB 2815 represents just three of the recommendations forwarded to my attention. The degree to which HB 2815 strengthens penalties, is indicative of the "get tough on crime" message, individuals throughout Kansas expressed to the task force. While I acknowledge that the provisions laid out in HB 2815, carry a significant bed impact, it is my hope that this legislation can serve as a starting

point in establishing good public policy. In my verbal remarks, I will propose some ideas that the committee may want to explore, upon the chance that the bill will be worked. Ideas that if implemented, would help address the difficulties the committee experiences in forwarding good public policy, while at the same time being cognizant of the financial hardships we face as a State.

Attached, you will find a packet that provides just a glimpse of what members of the task force experienced in their public hearings. I provide it to you as a source of background information on the policy proposals set forth in HB 2815.

Again, thank you for your time today.



HB 2815

Background Report

Attorney General's Task Force on Crime & Sentencing

Summary HB 2815

- Section I: Creates crime of Absconding
- Section II: Prison Sentence for Aggravated Indecent Solicitation of a Child
- Section III: Prison Sentence for conviction of a crime while on probation

SECTION I

- Currently 367 Absconders
- 12% convicted of sex crimes, 67% of sex crimes were against children
- 43% convicted of a violent crime
- 46% have 3 or more convictions

SECTION II

- 41 Convictions for Agg. Indecent Solicitation in 2003
- Currently Level 6 Felony – Probation for first offense

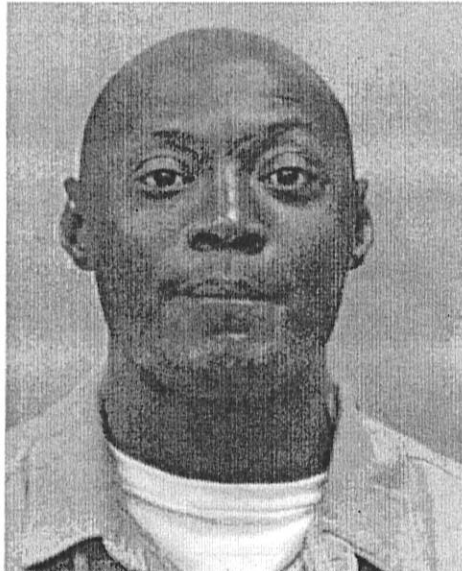
SECTION III

- Automatic prison sanction for conviction of a crime while on probation
- Offender would serve sentence of new crime in prison instead of on probation
- Currently offender may have probation violated and sent to prison for short period or sentenced to concurrent probation

ABSCONDING

SECTION I

Absconders



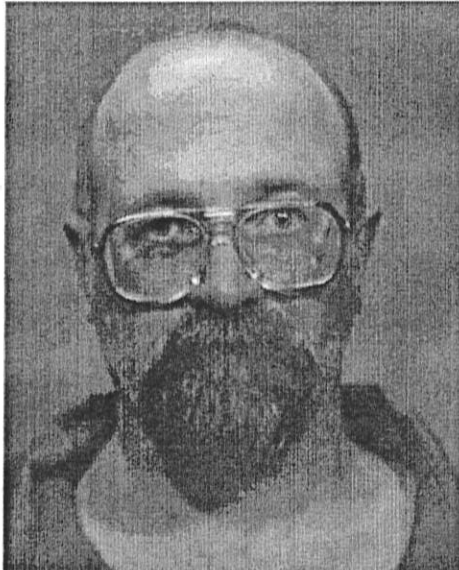
- 1984- Attempted Robbery
- 1992- Failure to Appear
- 1997- Agg. Indecent Solicitation of a Child
- 1997- Agg. Indecent Liberties with a Child
- 2001- Failure to Register as a Sex Offender

Samuel Henderson, Wyandotte
Current Status: **ABSCONDER**

Under currently law, would likely face 90 days.
Under HB 2815 would face 32 months in prison.
If HB 2815 revised to level 10, 12 months in prison.

SECTION I

Absconders

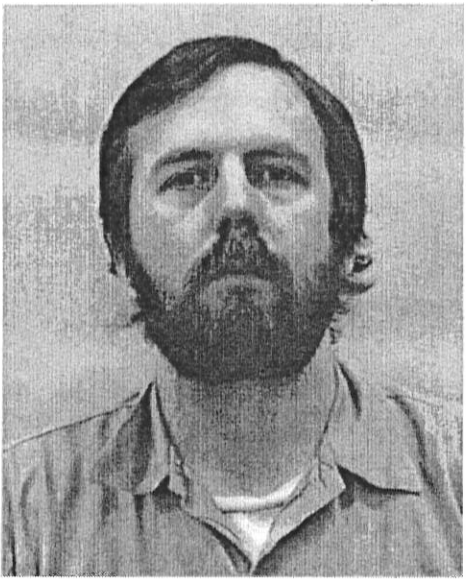


- 1993- Burglary
- 1993- Theft
- 1993- Theft
- 1998- Aggravated Indecent Solicitation of a Child
- 1998- Aggravated Indecent Solicitation of a Child

John Clotfelter, Sedgwick
Current Status: **ABSCONDER**

Under currently law, would likely face 90 days.
Under HB 2815 would face 39 months in prison.
If HB 2815 revised to level 10, 11 months in prison.

SECTION I Absconders

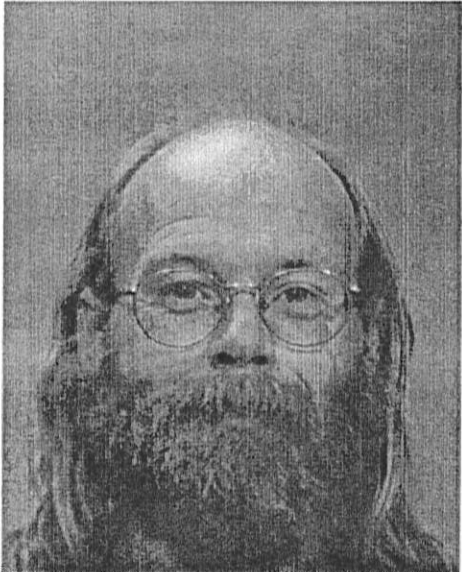


- 1993- Agg. Indecent Liberties with a Child
- 1993- Agg. Criminal Sodomy with a Child
- 1993- Agg. Battery
- 1993- Agg. Indecent Liberties with a Child

Deran Voigt, Sedgwick
Current Status: **ABSCONDER**

Under currently law, would likely face 90 days.
Under HB 2815 would face 43 months in prison.
If HB 2815 revised to level 10, 12 months in prison.

SECTION I Absconders



Michael Hutchins, Sedgwick
Current Status: **ABSCONDER**

- 1989- Burglary
- 1993- Burglary
- 1993- Theft
- 1993- Theft
- 1993- Theft
- 1995- Burglary
- 1995- Theft
- 1995- Burglary
- 1995- Theft
- 1995- Burglary
- 1995- Theft
- 1995- Burglary
- 1995- Theft
- 1995- Burglary
- 1995- Theft

- 1995- Burglary
- 1995- Theft
- 1999- Burglary
- 1999- Theft
- 1999- Burglary
- 1999- Burglary
- 1999- Theft

Under currently law, would likely face 90 days.
 Under HB 2815 would face 21 months in prison.
 If HB 2815 revised to level 10, 8 months in prison.
 All previous felonies are non-person, no requirement he ever serve prison time.

**AGGRAVATED
INDECENT
SOLICITATION
OF A CHILD**

SECTION II

Aggravated Indecent Solicitation



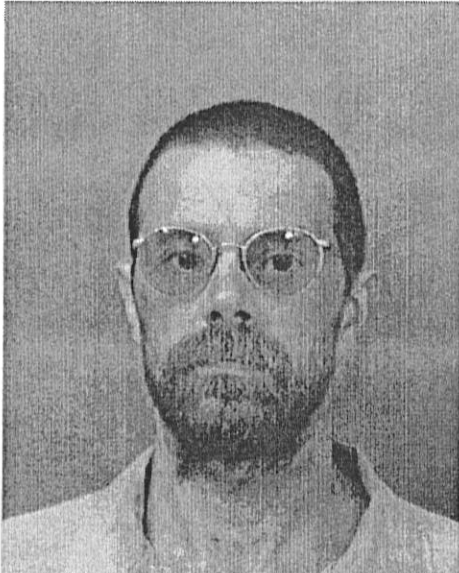
1999- Aggravated Indecent Solicitation of a Child (less than 14 y-o)

Brandon Mills, Miami
Current Status: **ABSCONDER**

Under current law – 18 months probation.
Under HB 2815 – 59 months in prison.

SECTION II

Aggravated Indecent Solicitation



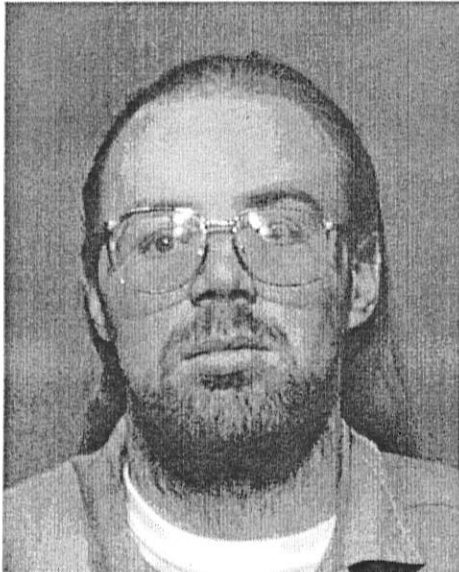
1992- Driving on a Suspended License (Class E Felony)
1996- Aggravated Indecent Solicitation of a Child (less than 14 y-o)

Fredrick Richardson, Cowley
Current Status: **ABSCONDER**

Under current law – 24 months prison, border box, only because of prior driving offenses.
Under HB 2815 – 72 months in prison.

SECTION II

Aggravated Indecent Solicitation



1995- Aggravated Indecent Solicitation of a Child (less than 14 y-o)
1995- Aggravated Indecent Solicitation of a Child (less then 14 y-o)

Travis Perkins, Seward
Current Status: **ABSCONDER**

Under current law – 18 months probation.
Under HB 2815 – 59 months in prison.

REPEAT OFFENDERS

SECTION III

Repeat Offenders



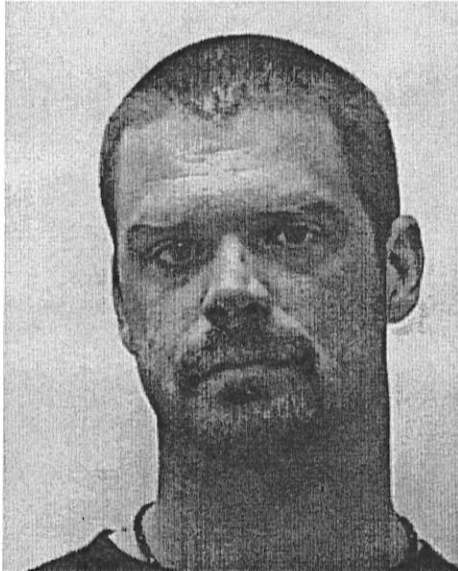
- Jun. 4 1996- Burglary
- Jun. 9 1996- Burglary Vehicle
- Jun. 12 1996- Burglary Vehicle
- Jun. 13 1996- Burglary
- Sept. 19 1996- Burglary
- Sept. 19 1996- Burglary
- Sept. 19 1996- Burglary
- Jan. 15 1997- Burglary
- Jan. 31 1997- Theft
- May 11 2001- Burglary
- May 11 2001- Burglary
- May 11 2001- Burglary
- May 14 2001- Burglary

Edward Howes, Reno
Current Status: Post Release Supervision

All non-person felonies that net probation. No guarantee that he would ever serve prison time.
Received SB 323 conversion, reconvicted.

SECTION III

Repeat Offenders



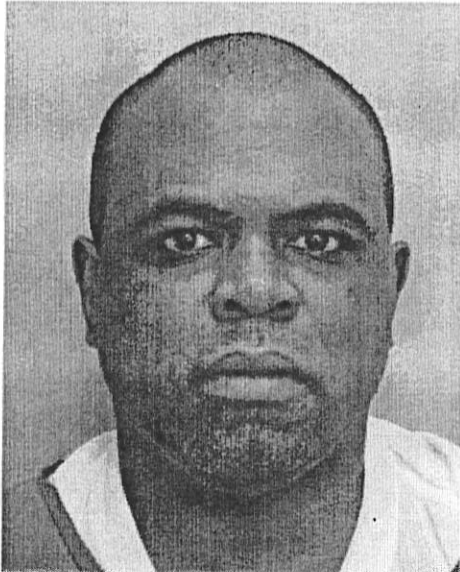
- Oct. 1992- Burglary
- May 1995- Burglary
- Aug. 1997- Burglary
- Aug. 1997- Theft
- Aug. 1997- Crim. Damage Prop.
- Sept. 1997- Theft
- Sept. 1997- Burglary
- Sept. 1997- Burglary
- June 2001- Burglary
- June 2001- Burglary

Shawn Walker, Barton
Current Status: **ABSCONDER**

All non-person felonies that net probation. No requirement that he would ever serve prison time.

SECTION III

Repeat Offenders



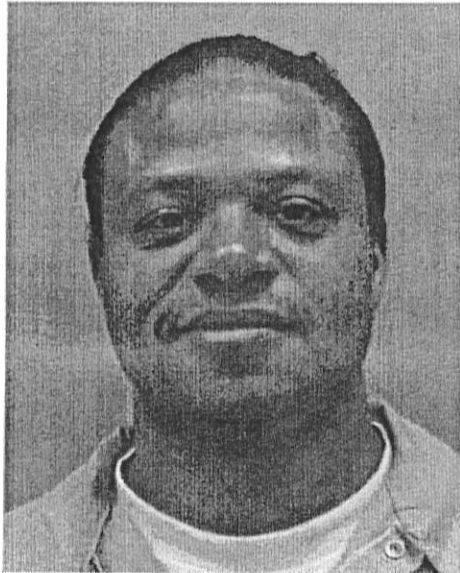
Lewis Vaughn, Shawnee
Current Status: Post Release

- | | |
|---------------------|--------------------|
| Aug. 1993- Forgery | Nov. 1999- Forgery |
| Sept. 1993- Forgery | Jun. 2000- Forgery |
| Oct. 1993- Forgery | Jun. 2000- Forgery |
| Jun. 1994- Forgery | Mar. 2001- Forgery |
| Jun. 1994- Forgery | May 2002- Forgery |
| Dec. 1997- Theft | May 2002- Forgery |
| Jun. 1998- Forgery | May 2002- Forgery |
| Jun. 1998- Forgery | June 2002- Forgery |
| Jun. 1998- Forgery | June 2002- Forgery |
| Jun. 1998- Forgery | June 2002- Forgery |
| Jun. 1998- Forgery | |
| Oct. 1999- Forgery | |

All non-person felonies that net probation. No requirement that he would ever serve prison time. Received SB 323 Conversion, reconvicted, released, reconvicted.

SECTION III

Repeat Offenders



Feb. 1 1984- Agg. Battery LEO	Sept. 28 2001- Theft
Feb. 1 1984- Robbery	Nov. 5 2001- Burglary
Nov. 25 1995- Forgery	Nov. 5 2001- Theft
Nov. 25 1995- Theft	
Nov. 25 1995- Burglary	
Nov. 27 1995- Theft	
Nov. 27 1995- Theft	
Feb. 28 1996- Burglary	
Feb. 28 1996- Theft	
Jan. 13 1997- Obstruction	
Jan. 13 1997- Battery LEO	
Sept. 28 2001- Burglary	

Kenneth Golston, Sedgwick/Labette
Current Status: **ABSCONDER**

KEY STATISTICS

Property Crimes in Kansas

Number of Crimes

73,023

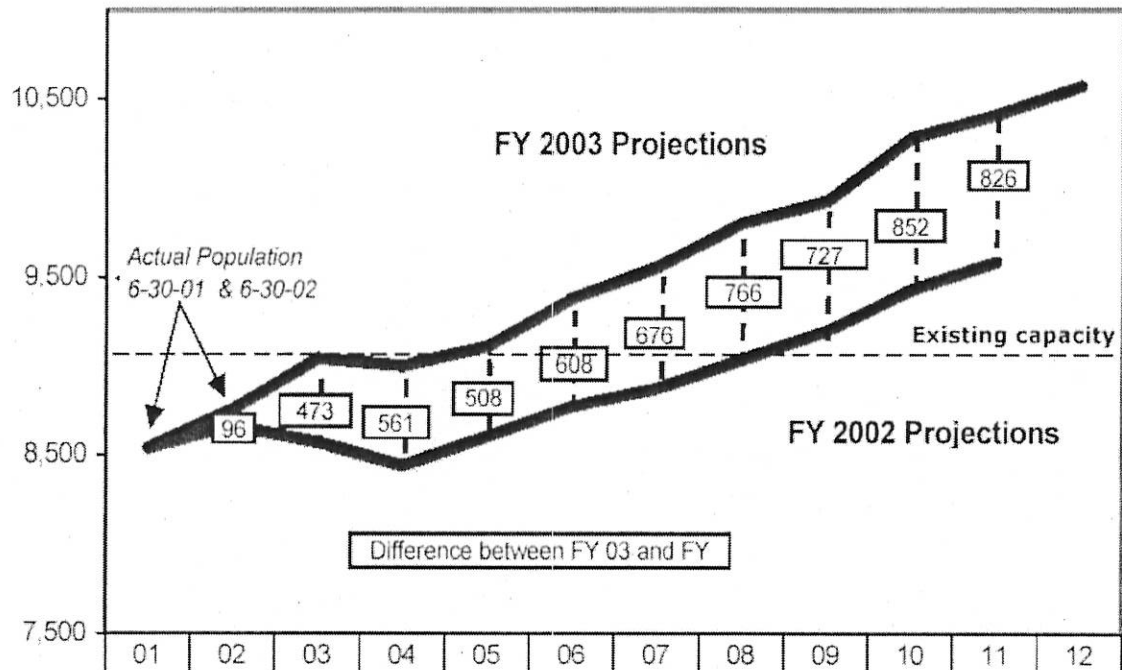
Property Lost or Damaged

\$93,031,302

Source: FBI Uniform Crime Reports

PROJECTED PRISON POP.

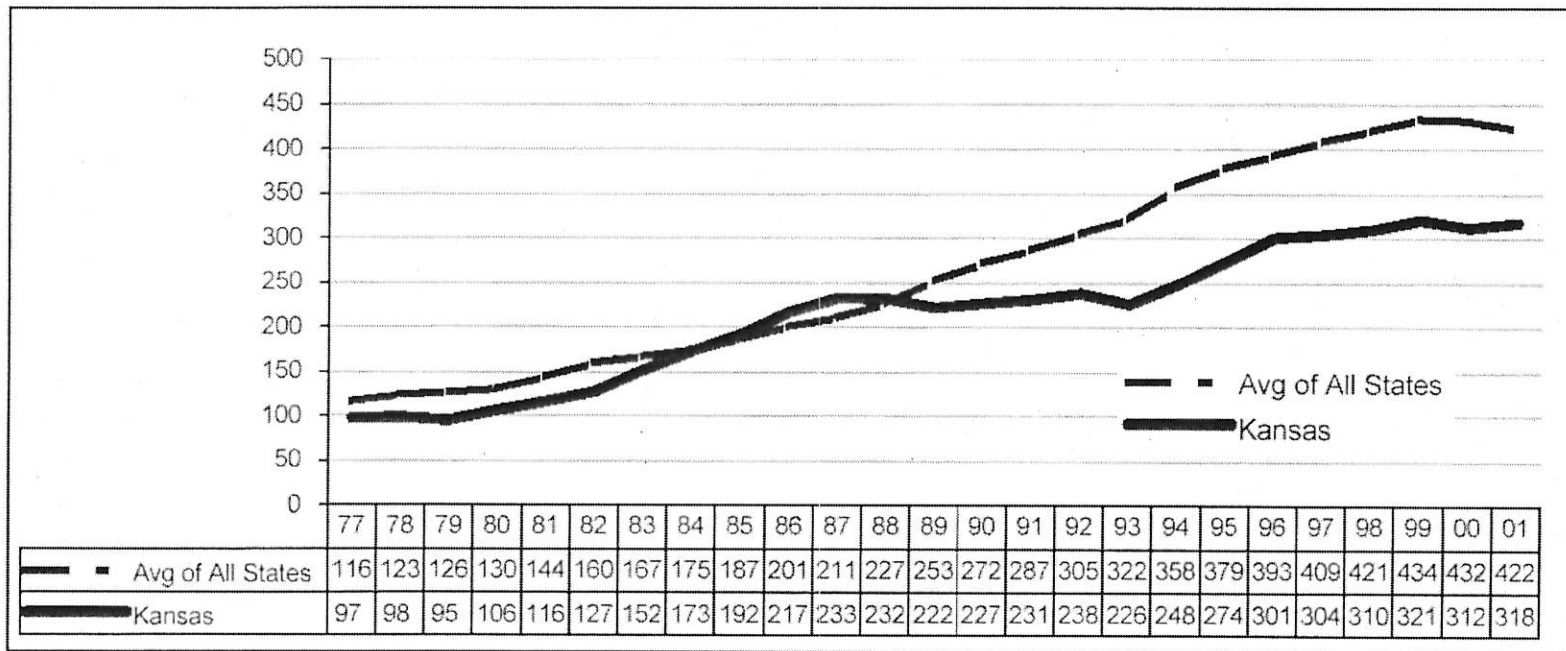
1-21



	01	02	03	04	05	06	07	08	09	10	11	12
■ FY 03 Projections	8,540	8,759	9,044	9,003	9,112	9,383	9,555	9,805	9,927	10,285	10,411	10,572
■ FY 02 Projections	8,540	8,663	8,571	8,442	8,604	8,775	8,879	9,039	9,200	9,433	9,585	

Incarceration Rates: Kansas vs. Other States (number incarcerated per 100,000 population)

Kansas Rate vs. Average for All States: 1977-2001 (Dec 31st each year)



Notes & Methodology

1-23

Examples listed were drawn from KDOC absconder list 2-19-2004 and KDOC SB 323 memo.

Criminal history was retrieved from KDOC's Kansas Adult Supervised Population Electronic Repository.

Projections based on KASPER data are believed to be accurate, but data from KASPER is not complete and does not account for case by case variables.

2
Testimony of Sheriff LeRoy Green, February 20, 2003

House Committee On Corrections & Juvenile Justice

Ref: HB 2815

Interoffice Memo

Date: 2/20/2004
To: Leroy Green, Sheriff Wyandotte County
Cc: Randall Henderson, Administrator, Rick Mellott
From: Floyd Garner
RE: Repeat Offendersj

Sir, I have been asked to identify some inmates who have been incarcerated in the detention center on many occasions. As you are aware the current jail management system was obtained in 2001, and in order to search for persons who repeat offenders a name is required.

I will however give some examples of some of the regulars that I recall. These arrests have all occurred since December 2001. Kimyonis Palmer (40), Tracy Walton (15, *has also spent time @ KDOC this time period*), Rodney Ash (11), Ernest Hokes (11, *also constant complaint from business about loitering and stealing*), Timothy Bryant (14), Thomas Bryant (6), Nestor Salazar (25), Pearlina Henderson (19).

One individual who we do have a complete history on is Terry Lacy B/M 7/24/72 who has been booked into the Wyandotte County Detention Center (92) times. He is currently confined to Larned State Hospital.

Some other figures you may find interesting, Wyandotte County sent 278 inmates to KDOC in 2003. These were classified as "new commitments", however disregarding any Level 1,2,3, felonies many of the commitments were prior offenders, who caught new cases while on probation, prior felons who were no longer on probation or parole, or had their probation violated.

KDOC parole office in Kansas City/Wyandotte County violated 268 parole violators and returned them to prison in 2003.

2/20/2004

3

February 20, 2004

To: House Corrections and Juvenile Justice Committee
From: Pratt County Sheriff Vernon Chinn

Re: HB 2815

Chairman Loyd and Members of the Committee:

Thank you for the opportunity to appear before the committee on this very important law enforcement legislation. I hope to emphasize to the committee the many important reasons why I believe HB 2815 should be passed.

Absconders in Pratt County in the last 18 months have created an estimated cost of \$50,000 to the county and its taxpayers. The Pratt County Sheriff's Office has arrested 89 parole violators since September of 2002. 50 of these criminals absconded in 2003 alone. Absconder cases require my office to extradite criminals from jurisdictions from all across the country. My office extradites offenders as often as twice in a four-month period. Indeed the problem is significant.

One case that stands out in my mind is Travis Doane. Mr. Doane was sentenced for simple auto theft in Pratt County, eventually violated probation, and was arrested in Detroit in December of 2002. Extraditing Mr. Doane to Kansas cost of approximately \$1100.00. Mr. Doane was given probation again but unfortunately absconded again, this time to Portland, Oregon, where he was arrested in April of 2003. The cost to Pratt County to extradite Mr. Doane from Oregon was approximately \$1300.00.

Another example of a dangerous absconder was Justin Dunn. Since 1992 Mr. Dunn has been arrested 13 times on charges ranging from obstruction, criminal damage, domestic violence battery, battery of a law enforcement officer, and kidnapping.

I'd like to encourage the committee to strongly consider passage of HB 2815 due to the considerable financial and logistical burden, transportation fees, housing fees, and all related costs related to dealing with dangerous repeat offenders. The violators that my office sees are truly at risk for committing new crimes, each bringing an element of danger to the citizens of my community and to the officers that deal with them. Most have no fear of getting caught in the current system.

February 21, 2004

To: Chairman Ward Loyd and
Members of the Correction and Juvenile Justice Committee

From: Les Eck, Rusty Eck Ford

Re: House Bill 2815-Auto Theft Amendment

Chairman Loyd and Members of the Committee:

Good afternoon, my name is Les Eck, I own Rusty Eck Ford in Wichita, Kansas and I am also President of the Wichita Automobile Dealers Association. I thank you for the opportunity to appear before you in support of the auto theft amendment presented by the Kansas Attorney General's Office.

Current law does not prevent a criminal from stealing cars in Wichita, Kansas. In 2003, 1875 vehicles were stolen in Wichita and only 17% were cleared. Of the 17%, the Wichita Police Department could not tell us how many were even charged. The majority of these vehicles were stolen from private individuals like yourselves and many from our dealerships. On many occasions there was no arrest made because the thief simply told the arresting officer a friend had loaned him the car. Maybe the officer even got to give the thief a ride home. Do you realize if a thief steals a coat out of a car, it is burglary felony, but if he steals the entire car it is a misdemeanor?

One of the problems in Wichita is the district attorney's office will not prosecute for property crimes. They have told us, quote, "all repeat offenders of property crimes get probation over and over under sentencing guidelines." It is pointless to spend taxpayer money prosecuting these cases when nothing happens. Criminal behavior studies indicated that property crime offenders have the highest rate of repeat crimes and re-offended in a shorter time period.

Attached is a Wichita Police Incident Report where a car was driven through a dealership's fence and two other vehicles stolen and damaged. Note on the last page, the arresting officer had to change his charge to temporary criminal deprivation of a vehicle after the assistant DA turned down the felony charges.

Vehicle theft costs individuals and dealerships thousands of dollars every year because the thieves know whether they get caught once or 20 times, they will probably get probation. The Wichita auto dealers spend hundreds of thousands of dollars in theft protection in the form of security guards at night, extra lighting, fencing, lock boxes and we still lose cars because the Kansas property crime laws are too light on criminals.

Our own Insurance has become almost impossible to renew. From 2002 to 2003 our insurance went up \$40,000 & our deductibles are up to \$5,000 per occurrence. This is the first year we've had to lay off employees due to higher costs for insurance, thefts & extra expenses in the car business.

I've had so many bad experiences I don't know which one to describe. When they say gone in 60 seconds.....Less than one month ago our guard was making his rounds, as he left our customers cars, the thieves cut the fence, broke the lock box, raised the top rail of the fence & took a 2004 Explorer with 400 miles that a customer just bought. By the time we got it back it was damaged inside and out. It took several thousand dollars to put it back, but the customer will never be happy. We had one guy steal a customers car, smile at our camera, get caught; walked away, he came back again, got caught; walked away, stole a third time; this time he rolled the car in a high speed chase. I was never called to testify or prosecute. The worst scenario happened last month, when our lot manager realized that none of our thefts were ever prosecuted. So he decided to rent our cars out. When we found out and had the police catch people driving our vehicles, they simply said here are the keys and walked. Talking to the officer he said there's not much we could do and laws were too weak to prosecute either person.

We are currently putting wrought iron fence and concrete walls around our 15 acres. We are also putting in a new security system trying to keep insurance and our 200 employees working.

It's with out a doubt our biggest headache and time waster. We spend many wasted hours chasing stolen vehicles, they're always damaged, and repairing what a senseless individual tears up.

Even the media makes fun of our hopeless situation. Cornbread the DJ on KFDI recently talked about car thefts and lack of prosecution. Not believing you could steal a car then walk away he called a couple of police officers to his show to ask them. They basically said we don't prosecute car theft. Now everyone knows how weak our laws are. Everybody pays for this crime.

There are 2 types of car thefts: first is breaking and entering and stealing a car. The second has developed because of lack of prosecution of the first. That is employees stealing cars because they have easier access and know that nothing happens even if they are caught. We are inviting people to become thieves.

Changing the law won't overcrowd the prisons but it will send a message to the joy riders to find another hobby.

February 20, 2004

Good afternoon. My name is Maria Holiday. I am the Chairwoman of Kansas Women for Accountable and Responsible Government and I am a proponent of Bill 2815. I would like to speak to two specific sections of this bill.

Sec. 2 proposes raising the level of severity for aggravated indecent solicitation of a child from a level 6 up to a level 3, person felony. Section 4, subsection (j) proposes doubling the maximum imprisonment sentence if a sex offender has been convicted before.

While KWARG is committed to supporting efforts to secure the safety of women and children, this bill is of great personal interest to me. I hope, as I speak to you today, that I can give you some small understanding of what the passing of this bill could mean to the citizens of Kansas.

I am a wife, a mother of a 17-year-old, a business owner, and a teacher of small children. I am also a survivor of childhood sexual abuse. Thirty years ago, a family friend and local police officer named Jack Spratt repeatedly violated me in ways that would make any humane person nauseous.

When I began to withdraw and have violent nightmares, my parents took me to a counselor. Very shortly after they began to suspect that Jack was abusing me. They confronted me and I hysterically denied it with everything my then eight-year-old self could muster. I had to. I was protecting my entire family. I had protested once early in the abuse. I went so far as to threaten to tell his "secret". He pulled his gun from the nightstand, held it in front of my face and proceeded to explain the consequences of such action. He vividly relayed to me how he would massacre my parents and my two little brothers in front of me. He described how far blood could splatter and how it smelled. He promised to kill me next. Then came the part that convinced me. He explained how he would plant my natural father's fingerprints in the house. He would never be caught. He was a 7'2" police officer holding a gun in front of me. I was 8 years old. I believed him. I never told. All subsequent abuse occurred with that gun in plain sight as a reminder.

Eleven years later as I prepared for my first semester of college, I saw a newspaper article about him. In September 1984 he was charged with nine counts of indecent liberties with a child, but six of the nine charges were dismissed in a plea bargain. A film processing company had turned him in when he attempted to have pornographic photos of children developed. He pled guilty and received the prosecutors recommended minimum prison term of 3-10 years. The maximum sentence would have been 5-20 years.

He was released just 20 months later. He served 20 months for molesting and photographing nine girls between the ages of 4 and 12 for a period of at least a year and a half. 20 months.

17 months later, while still on probation, he did it again. Ironically, the judge terminated his 5-yr. probation 3 years early and after he had begun offending again.

July 1989, 6 months after his probation was lifted he pled not guilty to charges involving his own daughters. He pled nolo to another count of indecent liberties and 4 counts of aggravated incest. He was found guilty and sentenced to 3-10 years on each count to run concurrently again. This time he served 5 years before being transferred to the Sexual Predator Unit at the Larned State Hospital.

The innocence of a dozen plus little girls, ages 4-14, was stolen forever. The man who stole it, with 5 felony convictions, walks freely. In October 2002 he was released due to a loophole in the law. He is not required to register as a sexual predator. His probation is considered served while he was in the Sexual Predator Unit so he is not required to check in with anyone. If you look him up in KASPER, there is no photo.

Under this bill, Jack Spratt could have been sentenced to more than 22 years. In other words, he would probably still be in prison. Instead, I go to bed praying for his next, inevitable victim.

While the recidivism rate of sexual offenders is thought to be high, studies vary. According to William Woodward in the May 2001 issue of "State Government News", a study of sexual offenders in Colorado shows how severe the problem is. Sexual offenders admitted to having an average of two victims and seven offenses. However, when given a polygraph, that number changed to a stomach wrenching 165 victims and 511 offenses! When Jack was interviewed by 60 Minutes, he told them that he had another victim in 1972. I knew that at the time he was molesting me, he was also molesting two other girls.

Of all of the children that he abused, only his own daughters came forward. I do not know if that was their doing or their mother's. If he hadn't tried to develop pornographic film and been turned in by the film developing company, the other victims may never have been discovered. It is estimated that 25% of females will be sexually abused at some point in their life. Look around this room. How many women do you see? I'm not the only survivor in this room.

When I first began to research information about sexual offenders and their victims, my husband, in his desire to protect me from hurting, asked me why I didn't just "let sleeping dogs lie." I told him simply, "Don't you understand? This dog NEVER sleeps!"

Just this past month a 28-year-old man in Shawnee County was given probation for brutally sodomizing a 6-year-old boy while he videotaped it.

Two young men in Lawrence with prior records were sentenced to 180 days for raping a 13-year-old girl. Let us never forget Stephanie Schmidt who was raped and murdered by a sexual offender on probation. This is a national problem. Last month, 11 year old Carlie Bucie was kidnapped and murdered by a repeat offender in Florida.

There may be those that will argue that this will overload the already cramped prison system. Please hear this. If the primary responsibility of government is to protect it's citizens, and you can allocate 57% of the State's budget to education, and you can allocate funds to build a covered parking garage, then you must fund all efforts to keep our children safe.

I felt responsible for Jack's other victims for a long time. I thought if only I had told, he could have been put away and those other little girls would have been spared. His wife could have discovered his record before marrying him. It haunted me. Then I began to study the law. I realized even if he would have been convicted and sentenced to prison for what he did to me, he would have been released in a very short period of time. He still would have done it again. He probably is offending right now. Passing this bill will protect countless victims from living with what I have experienced.

The grace of God and a loving family delivered me to where I am today. Many survivors didn't have the support I did. They live in fear of their own memories. Passing this bill will send a message to offenders in Kansas that we believe in the protection of our citizens over a criminal's right to freedom. It says the safety of our children is a priority in Kansas. Please, I ask that you pass this bill.

Maria Holiday
KWARG Chairwoman
13241 W. 132nd St
Overland Park, KS 66213
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TO: Chairman Loyd and the Members of the House Committee on
Corrections and Juvenile Justice

FROM: Mike Jennings, Legislative Chair, Kansas County and District
Attorneys Association

RE: H.B. 2815, providing for increased penalties for parole absconders
and violators

DATE: February 20, 2004

Thanks Mr. Chairman for the opportunity to state our support for H.B. 2815. This Bill provides more realistic sanctions for violating parole. As the press has so clearly demonstrated, Kansas faces a disproportionate risk of death from the hands of parolees. Attorney General Kline has responded to this risk with a very appropriate and measured bill which would increase the incentive a parolee would have to live within the law. As you can see from the bed impact statistics, there are a lot of parolees who do not face any significant deterrence for their continued criminality at present. Our Association urges the Committee to help protect Kansans from this group of rather predictable offenders.

House Corr & JJ
Attachment 6

2-20-04