

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 P.M. on January 23, 2007 in Room 313-S of the Capitol.

All members were present except:

Ben Hodge- excused
Kevin Yoder- excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research
Athena Andaya, Kansas Legislative Research
Jill Wolters, Office of Revisor of Statutes
Duston Slinkard, Office of Revisor of Statutes
Cindy O'Neal, Committee Assistant

Conferees appearing before the committee:

Tim Madden, Kansas Department of Corrections
Judge Sam Bruner, Kansas Judicial Council
Kyle Smith, Kansas Bureau of Investigation
Randy Hearrell, Kansas Judicial Council

Tim Madden, Kansas Department of Corrections requested a bill relating to program agreements between the secretary and inmates. Representative Kinzer made the motion to have the request introduced as a committee bill. Representative Watkins seconded the motion. The motion carried.

Chairman O'Neal received three requests for bill introductions:

1. Amending the screening panel statute
2. Amending K.S.A. 40-908, attorney fees statute
3. Amending depositions by leave of court statute

Representative Kinzer made the motion to have the requests introduced as committee bills. Representative Watkins seconded the motion. The motion carried.

The hearing on **HB 2059 - upon adoption, the right to inherit from the birth parent ceases**, was opened.

Judge Sam Bruner, Kansas Judicial Council, appeared in support of the proposed bill. The original act was created and adopted in 1996. The objective of this update is to put Kansas in with a majority of other states which cease the right of an adoptive child from inheriting from the biological parents, unless the biological parent does so by a testamentary disposition. (Attachment 1)

The hearing on **HB 2059** was closed.

The hearing on **HB 2074 - fingerprints and photos of juveniles in custody**, was opened.

Kyle Smith, Kansas Bureau of Investigation, appeared as a proponent of the bill. The proposed bill would undo legislation which was adopted during the 2006 Legislative Session by returning the statute back to allowing fingerprinting and photos when a juvenile is arrested not upon conviction. This change allows law enforcement personnel to identify a juvenile with his/her record. (Attachment 2)

Mr. Smith proposed two amendments to the bill:

- page 2, line 21 change "may" to "shall" to make it consistent with the change on page 2, line 17
- add a new paragraph (a)(5) that would allow, not require, photos to be taken at juvenile detention facilities and restrict their distribution.

Randy Hearrell, Kansas Judicial Council, stated that they proposed the changes during the 2006 Legislative Session because the Juvenile Offender Code is a civil code, and therefore, law enforcement should not be creating criminal records until they are charged with a crime.

CONTINUATION SHEET

MINUTES OF THE House Judiciary Committee at 3:30 P.M. on January 23, 2007 in Room 313-S of the Capitol.

The committee expressed concern about juvenile records not being disposed of if charges are not filed. Mr. Smith stated that arrests are an indicator of problems with that juvenile and it makes a trail of the events in which that juvenile was involved in.

Written testimony in support of the proposed bill was provided by Shawnee County Department of Corrections, Kansas Association of Counties, Kansas Association of Chiefs of Police, Kingman County Sheriff's Office, and Kansas Sheriff's Association. (Attachments 3-7)

The hearing on **HB 2074** was closed, pending information to be received from the Kansas Judicial Council.

The meeting adjourned at 4:45 p.m. The next meeting was scheduled for January 24, 2007.



KANSAS JUDICIAL COUNCIL

JUSTICE ROBERT E. DAVIS, CHAIR, LEAVENWORTH
JUDGE JERRY G. ELLIOTT, WICHITA
JUDGE ROBERT J. FLEMING, PARSONS
JUDGE JEAN F. SHEPHERD, LAWRENCE
SEN. JOHN VRATIL, LEAWOOD
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BRANDY M. WHEELER
ADMINISTRATIVE ASSISTANT

MEMORANDUM

TO: House Judiciary Committee

FROM: Hon. Sam K. Bruner - Kansas Judicial Council

DATE: January 23, 2007

RE: 2007 HB 2059

The Judicial Council recommends that a final decree of adoption should terminate the right of the adopted person and the adopted person's heirs at law to inherit from biological parents. A majority of jurisdictions have adopted this position based on the rationale that adoption is intended to give both the adopted child and the adoptive parents a "fresh start." See 3 Hollinger, Adoption Law & Practice § 12.03[1][a][i] (2005). Furthermore, most parties to an adoption proceed on the assumption that there is no longer any relationship between the adopted child and the child's biological parents. Practical considerations also weigh in favor of terminating the inheritance rights of adopted children. For example, it is often impossible to notify previously adopted heirs upon the death of a biological parent because of the confidentiality of adoption records.

Severing the inheritance rights of an adopted person is not unfair to the adopted person because he or she is gaining inheritance rights in his or her new adoptive family. Furthermore, there is no true "right to inherit" with a present value; any right to inherit is entirely contingent upon the existence of property at the biological parent's death which has not been conveyed to others by testamentary dispositions. Finally, a biological parent who wishes to leave an inheritance for a child who was previously adopted out of the family may still do so by testamentary disposition.

House Judiciary
Date 1-23-07
Attachment # 1



Kansas Bureau of Investigation

Larry Welch
Director

Paul Morrison
Attorney General

Testimony in Support of HB 2074
Before the House Judiciary Committee
Kyle Smith, Deputy Director
Kansas Bureau of Investigation
January 23, 2007

Chairman O'Neal and Members of the Committee,

I appear today on behalf of the Kansas Bureau of Investigation and as legislative chair of the Kansas Peace Officers' Association in support of immediate passage of HB 2074. This legislation essentially returns the processing of juvenile offenders back to 'upon arrest' from the 'upon conviction' approach adopted last year in SB 261.

We recognize that juvenile offenders may need to be handled differently than adult criminals, in some ways, due to their younger age, limited maturity and the consequential reduced culpability. However, correct identification of the offender to the offense is just as important for juveniles as it is for adults.

SB 261, by moving the fingerprinting and photographing process from upon arrest to upon conviction created a number of unintended and serious consequences. The risk of wrongly identifying the child to the record is greatly increased. This problem goes both ways – an offender's real record may be unknown to law enforcement and the courts while an innocent child may be wrongly connected to crime or crimes that the child had no involvement in committing. Due to the serious nature of the criminal justice system's work, it has long relied upon the unique nature of fingerprints as the standard for identification.

One could argue that the fingerprints and photographs of juvenile offenders are even more important to get than of adults because juveniles frequently do not have identification documents such as a drivers license. And that same lack of maturity that mitigates their culpability also leads them into lying about their identity more often than adults. The potential for a juvenile to be released and disappear is thus greater than for adults. By not having the necessary identifying information collected when the record is created SB 261 created a dangerous disconnect that can have serious consequences.

Examples of the problems we now face are numerous: A juvenile gang member could be arrested for a serious, violent felony and once released pending hearing 'disappear' and assume another name. Even if caught for the failure to appear, how does the state prove beyond a reasonable doubt that this is the offender who skipped out? How would we find or recognize an escapee? What about a child that has the misfortune to look like an offender and is picked up by mistake?

House Judiciary

Date 1-23-07

1620 S.W. Tyler / Topeka, Kansas 66612-1837 / (785) 296-8200 FAX (Attachment # 2

Without positive identification to prior arrests, both the officer on the street and the sentencing judge may be denied important, maybe life threatening information - clearly both would like to know that the juvenile before them, whether on the street or at sentencing, has twice skipped out on armed robbery charges.

Another problem with the SB 261 approach involves connecting last year's DNA samples taken at arrest, but not having fingerprints to tie the sample to a case.

It should also be noted that juvenile offender records are given exceptional confidentiality already under Kansas law. The records are sealed from the public and even within the criminal justice system they are required to be stored and marked separately from adult records, unless the offender is at least 16 years of age. There is little risk that the photographs and fingerprints will ever be seen by anyone again in a juvenile case, unless that offender commits a new crime.

The Kansas Criminal Justice Information System is an award-winning computerized system, but it, like any system, is dependant upon the information that it is given. The system assigns a 'transaction number' whenever an offender, adult or juvenile, is apprehended and 'booked' into a facility. The sentencing grid is supposed to take into consideration a person's prior convictions, but without fingerprints to confirm identification to a transaction number, the reliability of the records suffer. Since January 1st of this year, when SB 261 went into effect, we have no reliable way of connecting a juvenile offender to a case. Remember we are being forced to rely on names and date of births from a population that may not have any documents proving either.

The bill does have two relatively minor changes from the law as written before January 1st and we would suggest two other minor amendments to the bill.

The changes are

- In K.S.A. 38-2313, Page 2, lines 12-17, clarifying that there is but one state and one federal repository, and
- In section (c)(2) of 38-2313, Page 2, line 17, the bill adds section (a)(4) - juveniles admitted to juvenile correctional facilities - to those where fingerprints shall be taken.

Newly proposed amendments in this testimony are:

- On page 2, line 21, change the word "may" to "shall" in describing fingerprints when an offender is committed to a juvenile detention facility, this is consistent with the change made on page 2, line 17.
- Add a new paragraph (a)(5), which would allow, not require, photos to be taken at juvenile detention (as opposed to correctional) facilities and restricts their distribution.
- See attached balloon with these proposed amendments to bill in bold italics.

The longer that section 13 of SB 261 is allowed to be the law of Kansas, the worse our records will be and the greater danger of miss and wrong identification of juvenile offenders. While well-intentioned, the unintended consequences of this section of SB 261 are major problems with both local law enforcement and maintaining accurate records of arrests by the KBI.

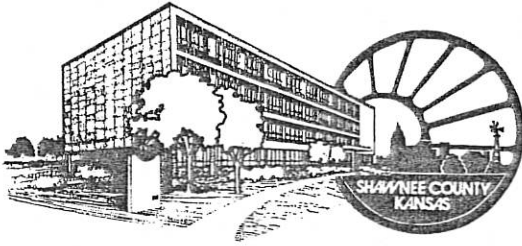
Therefore we respectfully request prompt action on this bill, both by this committee and the entire chamber. Thank you for your prompt attention and consideration.

Proposed Amendments to HB 2074

Page 2, lines 3-4:

(4) fingerprints or photographs ~~may~~ **shall** be taken of any juvenile admitted to a juvenile correctional facility.

(5) photographs may be taken of any juvenile placed in a juvenile detention facility. Photographs taken under this section shall be used solely by the juvenile detention facility for the purposes of identification, security and protection and shall not be disseminated to any other person or agency except after an escape and necessary to assist in apprehension.



Shawnee County
Department of Corrections

501 S.E. 8th Street - Topeka, Kansas 66607

Elizabeth Gillespie, Director

Adult Detention Facility - 501 SE 8th - Topeka, Kansas 66607 - (785) 291-5000 - FAX (785) 291-4924
Youth Detention Facility - 401 SE 8th - Topeka, Kansas 66607 - (785) 233-6459 - FAX (785) 291-4963

DATE: January 22, 2007

TO: Honorable Members
House Judiciary Committee

FROM: Elizabeth Gillespie, Director *Elizabeth Gillespie*
Shawnee County Department of Corrections

SUBJECT: **House Bill No. 2074**

On behalf of Shawnee County, I am submitting written testimony in support of House Bill No. 2074. This bill will correct the current conflict that exists between two bills that were passed during the last Legislative session: Senate Bill 261 and House Bill 2554. Basically, Senate Bill 261 prohibits the fingerprinting of juveniles at admission to juvenile detention facilities until after a juvenile is adjudicated for certain offenses. House Bill 2554 requires DNA collection of juveniles during the admission fingerprinting process for certain offenses. House Bill 2074 corrects the conflict between the two bills and will provide for a more efficient process of identification of DNA samples through fingerprinting at the time of intake.

Unfortunately, Senate Bill 261 also prohibits the photographing of juveniles in juvenile detention facilities. I am not sure why this prohibition was added to the juvenile code, but it causes several problems for the 13 juvenile detention facilities in the state. I am, therefore, requesting that the Judiciary Committee consider adding wording that will authorize juvenile detention facilities to photograph any juvenile that is assigned to a facility. Most juvenile detention facilities in this state have been taking photographs of all juveniles entering the facilities for many years. These photographs are utilized for accurate identification of the juveniles throughout their stays in the facilities. The photographs assist in keeping security and order and serve as protection for the staff and juveniles. In the latter case, the photographs provide records of the physical condition in which the juveniles entered the facilities. The additional wording can prohibit the center from disseminating the photographs and using them for anything other than internal security, identification, and protection purposes.

Senate Bill 103 (see attached copy) was introduced last week at the request of Shawnee County Senators Schmidt, Hensley, and Kelly. It too corrects the conflict between Senate Bill 261 and House Bill 2554, but it also includes authorization for the photographing of any juvenile placed in a juvenile detention facility. Obviously, I am hoping that the bill that is finally passed during this session ultimately includes both the fingerprinting and the photographing changes.

Thank you for your time and consideration.

EG:eg

Attachment

House Judiciary
Date 1-23-07
Attachment # 3

SENATE BILL No. 103

By Senators V. Schmidt, Hensley and Kelly

1-17

9 AN ACT concerning juveniles; relating to fingerprints and photographs;
10 amending K.S.A. 2006 Supp. 38-2313 and repealing the existing
11 section.

12

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

14 Section 1. K.S.A. 2006 Supp. 38-2313 is hereby amended to read as
15 follows: 38-2313. (a) Fingerprints or photographs shall not be taken of
16 any juvenile who is taken into custody for any purpose, except that:

17 (1) Fingerprints or photographs of a juvenile may be taken if author-
18 ized by a judge of the district court having jurisdiction;

19 (2) ~~after adjudication, fingerprints and photographs shall be taken of~~
20 ~~all juvenile offenders adjudicated because of commission of an offense~~
21 ~~which if committed by an adult would constitute the commission of a~~
22 ~~felony or any of the following misdemeanor violations: K.S.A. 21-3424,~~
23 ~~and amendments thereto, criminal restraint, when the victim is less than~~
24 ~~18 years of age, subsection (a)(1) of K.S.A. 21-3503, and amendments~~
25 ~~thereto, indecent liberties with a child, K.S.A. 21-3507, and amendments~~
26 ~~thereto, adultery, when one of the parties involved is less than 18 years~~
27 ~~of age, K.S.A. 21-3508, and amendments thereto, lewd and lascivious~~
28 ~~behavior, subsection (b)(1) of K.S.A. 21-3513, and amendments thereto,~~
29 ~~promoting prostitution, when one of the parties involved is less than 18~~
30 ~~years of age, K.S.A. 21-3517, and amendments thereto, sexual battery,~~
31 ~~and including an attempt, conspiracy or criminal solicitation, as defined~~
32 ~~in K.S.A. 21-3301, 21-3302 or 21-3303, and amendments thereto, to com-~~
33 ~~mit a violation of any of the offenses specified in this subsection a juve-~~
34 ~~nile's fingerprints shall be taken, and photographs of a juvenile may be~~
35 ~~taken, immediately upon taking the juvenile into custody or upon first~~
36 ~~appearance or in any event before final sentencing, before the court for~~
37 ~~an offense which, if committed by an adult, would constitute the com-~~
38 ~~mission of a felony, a class A or B misdemeanor or assault, as defined by~~
39 ~~K.S.A. 21-3408, and amendments thereto;~~

40 (3) fingerprints or photographs of a juvenile may be taken under
41 K.S.A. 21-2501, and amendments thereto, if the juvenile has been: (A)
42 Prosecuted as an adult pursuant to K.S.A. 2006 Supp. 38-2347, and
43 amendments thereto; and or (B) taken into custody for an offense de-

1 scribed in subsection (n)(1) or (n)(2) of K.S.A. 2006 Supp. 38-2302, and
2 amendments thereto;

3 (4) fingerprints or photographs may be taken of any juvenile admitted
4 to a juvenile correctional facility; and

5 (5) photographs may be taken of any juvenile placed in a juvenile
6 detention facility.

7 (b) Fingerprints and photographs taken under subsection (a)(1) or
8 (a)(2) shall be kept readily distinguishable from those of persons of the
9 age of majority. Fingerprints and photographs taken under subsections
10 ~~(a)(2)~~, (a)(3) and (a)(4) may be kept in the same manner as those of
11 persons of the age of majority. Photographs taken under subsection (5)
12 shall be used solely by the juvenile detention facility for the purposes of
13 identification, security and protection and shall not be disseminated to
14 any other person or agency.

15 (c) Fingerprints and photographs of a juvenile shall not be sent to a
16 state or federal repository, except that:

17 (1) Fingerprints and photographs may be sent to a state or federal
18 repository if authorized by a judge of the district court having jurisdiction;
19 and

20 (2) a juvenile's fingerprints shall, and photographs of a juvenile may,
21 be sent to a state or federal repository if taken under subsection (a)(2);
22 and

23 (3) fingerprints or photographs taken under subsections ~~(a)(2)~~, (a)(3)
24 and (a)(4) shall be processed and disseminated in the same manner as
25 those of persons of the age of majority.

26 (d) Fingerprints or photographs of a juvenile may be furnished to
27 another juvenile justice agency, as defined by K.S.A. 2006 Supp. 38-2325,
28 and amendments thereto, if the other agency has a legitimate need for
29 the fingerprints or photographs.

30 (e) Any fingerprints or photographs of an alleged juvenile offender
31 taken under the provisions of subsection (a)(2) of K.S.A. 38-1611, prior
32 to its repeal, may be sent to a state or federal repository on or before
33 December 31, 2006.

34 (f) Any law enforcement agency that willfully fails to submit any fin-
35 gerprints or photographs required by this section shall be liable to the
36 state for the payment of a civil penalty, recoverable in an action brought
37 by the attorney general, in an amount not exceeding \$500 for each report
38 not made. Any civil penalty recovered under this subsection shall be paid
39 into the state general fund.

40 (g) The director of the Kansas bureau of investigation shall adopt any
41 rules and regulations necessary to implement, administer and enforce the
42 provisions of this section, including time limits within which fingerprints
43 shall be sent to a state or federal repository when required by this section.

- 1 (h) Nothing in this section shall preclude the custodian of a juvenile
- 2 from authorizing photographs or fingerprints of the juvenile to be used
- 3 in any action under the Kansas parentage act.
- 4 Sec. 2. K.S.A. 2006 Supp. 38-2313 is hereby repealed.
- 5 Sec. 3. This act shall take effect and be in force from and after its
- 6 publication in the Kansas register.



KANSAS
ASSOCIATION OF
COUNTIES

Kansas Association of Counties
Written Testimony in Support of **HB 2074**
By Judy A. Moler, Legislative Services Director

The Kansas Association of Counties supports HB 2074. During the 2006 Legislative Session two conflicting bills were passed. SB 261, as passed last year, prohibits fingerprinting of juveniles during the admission process at juvenile facilities until the juvenile is adjudicated. The second bill which passed would require DNA collection of juveniles during the admission process. The bill before you would correct the conflict. In addition, however, the Senate bill passed last year would also prohibit photographing of juveniles in juvenile detention facilities. This is a serious problem for the 13 juvenile facilities across the state. Photographs of juveniles had been taken for some time prior to the passage of last year's bill. These photographs are used for security reasons as well as to document the well being of the juveniles. HB 2074 does not include the ability of juvenile detention centers to once again photograph juveniles.

SB 103 introduced last week by Shawnee County Senators Schmidt, Hensley and Kelly is the mirror bill to HB 2074 with the addition of reinstating the ability of juvenile detention centers to photograph a juvenile placed in their facility. It would be the hope of the Kansas Association of Counties that when HB 2074 passes this body, it would also include the ability for the juvenile detention centers to photograph juveniles in their custody.

Thank you for allowing the Kansas Association of Counties to offer testimony on this issue.

The Kansas Association of Counties, an instrumentality of member counties under K.S.A. 19-2690, provides legislative representation, educational and technical services and a wide range of informational services to its member counties. Inquiries concerning this testimony should be directed to Randall Allen or Judy Moler (785) 272-2585.

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House Judiciary
Date 1-23-07
Attachment # 4

WRITTEN TESTIMONY TO THE HOUSE JUDICIARY COMMITTEE
REFERENCE HB 2074
Presented by Ed Klumpp
On behalf of the
Kansas Association of Chiefs of Police

January 23, 2007

This testimony is in support of HB 2074 providing for changes in KSA 38-2313 concerning the fingerprinting and photographing of juveniles arrested for certain crimes.

The accurate identification of persons arrested is critical to ensure an innocent person's record is not tarnished by false information provided by the suspect at time of arrest. It is also critical to have tools in place allowing for verification of a particular persons arrest when the suspect's identity is later questioned. This is best accomplished when the fingerprinting and photographing are completed at the time of arrest. Without fingerprints taken at the time of arrest, there is no way to assure the person later arrested on warrant or adjudicated is the same person originally taken into custody or arrested. In addition, the availability of fingerprints and photographs at the time of arrest allows law enforcement to verify the suspect's identity through photo lineups and forensic evidence comparison. The importance of this ability includes the potential to clear an innocent suspect as well as to confirm the suspect perpetrated the crime when such evidence exists.

The provisions of this bill will change the laws on juvenile offender fingerprinting and photographing to be consistent with the DNA collection laws [see KSA 21-2511(e)] and the laws for fingerprinting and photographing of adult suspects [see KSA 21-2501]. The changes also revert to the timing of the fingerprinting and photographing existing prior to the passage of SB 261 last year.

Kansas utilizes a premier electronic criminal records reporting system that minimizes the opportunity for errors in criminal records. That system is dependant upon positive identifiers connecting the records as the case progresses through the system. The submission of fingerprints is a critical component to that process. It then utilizes that information to confirm the identity of the person when disposition information is entered into the system. Current Kansas law also provides for separation and security of information collected on juveniles including fingerprints and photographs.

The most compelling reason to approve the provisions of HB 2974 is public safety and officer safety issues when dealing with violent juvenile offenders. This is becoming increasingly important with rising violent juvenile gang activity. Photos and fingerprints can help identify those persons if they fail to show up for trial or if they escape custody. Such identification is imperative to the quick apprehension of the subject in these cases, especially when false identification and names are being used by the suspect.

We urge you to recommend passage of HB 2074.

Ed Klumpp
Chief of Police-Retired
Topeka Police Department

Legislative Committee Chair
Kansas Association of Chiefs of Police
E-mail: eklumpp@cox.net; Phone: (785) 235-5619; Cell: (785) 640-1102

House Judiciary
Date 1-23-07
Attachment # 5

RANDY L. HILL
Sheriff



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Testimony in Support of HB 2074
Before the House Judiciary Committee
Randy L. Hill, Sheriff
Kingman County Sheriff's Office
January 23, 2007

Chairman O'Neal and Members of the Committee,

I appear today on behalf of the Kingman County Sheriff's Office in support of immediate passage of HB 2074. This legislation essentially reverts the processing of juvenile offenders back to 'upon arrest' from the 'upon conviction' approach adopted last year in SB 261.

I recognize that juvenile offenders may need to be handled differently than adult criminals, in some ways, due to their younger age, limited maturity and the consequential reduced culpability. However, correct identification of the offender to the offense is just as important for juveniles as it is for adults.

SB 261, by moving the fingerprinting and photographing process from upon arrest to upon conviction created a number of unintended and serious consequences. The risk of wrongly identifying the child to the record is greatly increased. This problem goes both ways – an offender's real record may be unknown to law enforcement and the courts while an innocent child may be wrongly connected to crime or crimes that the child had no involvement in committing. Due to the serious nature of the criminal justice system's work, it has long relied upon the unique nature of fingerprints as the standard for identification.

SERVICE - COURTESY - PROTECTION

House Judiciary
Date 1-23-07
Attachment # 6

One could argue that the fingerprints and photographs of juvenile offenders are even more important to get than of adults because juveniles frequently do not have identification documents such as a drivers license. And that same lack of maturity that mitigates their culpability also leads them into lying about their identity more often than adults. The potential for a juvenile to be released and disappear is thus greater than for adults. By not having the necessary identifying information collected when the record is created SB 261 created a dangerous disconnect that can have serious consequences.

It is so important that the juvenile that was arrested to be positive identified at the time of arrest or at the very less to be able to have documentation that positively identifies this person. Not only do we need to insure that the right person is brought before the courts, we also need to protect others who may have had their identity stole or name wrongly used.

Fingerprints are the only positive identification that we currently have available. The Kingman County Sheriff's Office is in the process, this year to upgrade our system to the computerized live fingerprint scan. In February of this year we will be taking fingerprints of adults at the time of arrest and transmitting the information to the KBI and FBI. With in minutes we can have information back, if this person has been arrested before and what name was use. We need to make need make use of the system that is in place to insure the identity's of all persons, adults and juveniles.

I support the House Bill 2074 and amendments as submitted by Kyle Smith, Deputy Director, Kansas Bureau of Investigation.

Respectfully,
Randy L. Hill
Sheriff

To: House Judiciary Committee
Re: HB2074

The Kansas Sheriff's Association respectfully submits this testimony in support of HB2074, which would allow law enforcement to fingerprint and photograph juveniles upon arrest or first appearance. The legislature last year passed law that allows the collection of DNA upon arrest to include juveniles. Therefore, it would make sense to amend the law to allow juveniles to be photographed and fingerprinted. Law enforcement knows well that we should always protect juvenile information to include fingerprints and photographs and we take great pride in following the law. Perhaps if allowed to fingerprint juveniles many unsolved crimes could be solved by submitting the fingerprints to the KBI, which would allow for comparison in the AFIS database. I know from experience that this can lead to success in case solving old, unsolved cases. By passing HB2074 we do nothing to compromise juvenile rights or confidentiality. Therefore, the Kansas Sheriff's Association would encourage you to act favorably on HB2074.

Sincerely,

Randy L. Rogers
Legislative Chair
Kansas Sheriff's Association

House Judiciary
Date 1-23-07
Attachment # 7