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TOPEKA

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RANKING MINORITY: UTILITIES AND TELECOMMUNICATIONS
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NCSL: WOMEN'S LEGISLATIVE NETWORK
NCSL: LEGISLATORS FOR THE ENVIRONMENT

TESTIMONY FOR HOUSE BILL 2024

Good afternoon Chairman Barker and Committee Members:

I brought this issue to the attention of the Judiciary committee late last session. Then Chairman Kinzer gave me the opportunity of a hearing – HB 2712.

Since it was so late, the bill didn't go forward but was recommended to the Judicial Council's Criminal Law Advisory Committee, for consideration regarding effectiveness of the first change. See attached list of committee members.

Originally, HB 2712 was amending the domestic battery statute in two ways.

- a) Mandating a domestic violence offender assessment (which is currently up to the sentencing judge).
- b) Create a new subsection that at the time of sentencing for a conviction of domestic battery, the court (judge) shall consider any current or prior protective orders issued against the offender.

There was in depth conversation regarding the effectiveness of BIP (Battered Intervention Program).

Some of the conclusions were:

- *Committee was unable to draw firm conclusion on the overall effectiveness of BIPs. But there were quite a number of differences of opinion.
- *Offenders pay the cost for the program (26 weeks). It is hard for offenders to pay.
- *Not every county has assessment capabilities available. This provision was removed from consideration going forward.

Hence, Provision (b) is what HB 2024 is all about and will be "beneficial to the process".

I appreciate your consideration and thank you for your time.

Sincerely,

Annie Kuether

COMMITTEE MEMBERSHIP

The members of the Judicial Council Criminal Law Advisory Committee are:

Stephen E. Robison, Chair, Member of Fleeson, Gooing, Coulson & Kitch, LLC and Member of the Kansas Judicial Council; Wichita

Sen. Terry Bruce, Kansas State Senator and Practicing Attorney; Hutchinson

James W. Clark, Practicing Attorney; Lawrence

Sal Intagliata, Criminal Defense Attorney; Wichita

Patrick M. Lewis, Criminal Defense Attorney; Olathe

Prof. Joel Meinecke, Retired Attorney; Topeka

Steven L. Opat, Geary County Attorney; Junction City

Rep. John Rubin, Kansas State Representative, Attorney, and Retired Federal Administrative Law Judge; Shawnee

John Settle, Pawnee County Attorney; Larned

Ann Swegle, Sedgwick County Deputy District Attorney; Wichita

Loren L. Taylor, Attorney and Police Trainer; Kansas City

Ron Wurtz, Retired Public Defender (Federal and Kansas); Topeka

The ad hoc members participating in this study were:

Annie Grevas, Director of Community Corrections for Saline County; Salina

Rep. Annie Kuether, Kansas State Representative; Topeka

Michelle McCormick, Batterer Intervention Program Coordinator, Office of the Attorney General; Topeka

Chris Mechler, Court Services Specialist for the Office of Judicial Administration; Topeka

Kathy Ray, Director of Advocacy, Education and Rural Programs for the Kansas Coalition Against Sexual and Domestic Violence; Topeka