

SESSION OF 2007

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2074

As Amended by House Committee on
Judiciary

Brief*

HB 2074 would deal with fingerprinting and photographing juveniles. The bill would require fingerprinting and allow photographing of juveniles when he or she is taken into custody but before final sentencing for crimes that, if committed by an adult, would constitute a felony, a class A or B misdemeanor, or assault. In addition, the bill would require the juvenile's fingerprints and photographs be sent to the state and federal repositories if the juvenile is sent to a juvenile correctional facility or if the juvenile is taken into custody for the abovementioned offenses. In addition, the bill would allow, but not require, photos to be taken at juvenile detention facilities but restricts their distribution.

Current law, as a result of 2006 SB 261, requires fingerprinting and photographing of a juvenile upon conviction (adjudication) of the juvenile.

Background

Kyle Smith, Kansas Bureau of Investigation, appeared in support of the bill and characterized 2006 SB 261 as having unintended consequences that hampered law enforcement efforts. Letters of support for the bill were received from the following: Randy Hill, Kingman City Sheriffs Office; Ed Klumpp, Kansas Association of Chiefs of Police; Elizabeth Gillespie, Shawnee County Department of Corrections; Judy Moler, Kansas Association of Counties; and Randy L. Rogers, Kansas Sheriffs Association.

The Committee amended the bill by adding a provision that would allow, not require, photos to be taken at juvenile detention facilities and restrict their distribution.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

A subsequent transmittal was received from the Judicial Council Juvenile Offender/Child in Need of Care Advisory Committee that stated the Judicial Council is not opposed to passage of HB 2074.

The fiscal note states that the Office of Judicial Administration, the Kansas Sentencing Commission, the Kansas Department of Corrections, and the Juvenile Justice Authority all indicate that enactment of HB 2074 would not require any additional expenditures. The Kansas Bureau of Investigation indicates that HB 2074 would save the criminal justice community time and resources by assisting in the flow of information and records. The agency indicates that if the bill is not passed, then data exchange systems would have to be redesigned at the state and local levels. No specific cost savings resulting from enactment of HB 2074 can be estimated, however,