# State of Kansas
# House of Representatives

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House Corrections & Juvenile Justice Committee
**Testimony HB 2352 / Support**
Feb. 20, 2017

**Dear Chairman Jennings and Members of the Committee:**

On behalf of The Greater Wichita Ministerial League, HB 2352 bill was drafted and designed to help assist someone with a misdemeanor juvenile record that may want to become a law enforcement officer. Current law prohibits many otherwise qualified candidates from pursuing law enforcement careers because they have a misdemeanor in their juvenile background.

This bill only covers juvenile adjudications for misdemeanor crimes of dishonesty or false statement not adult dispositions. The goal is to address the record of an adult having their juvenile records held against them after they become adults with no other crimes of dishonesty of false statement committed.

Under current law, a question can be asked of a witness about their juvenile adjudications in addition to their adult convictions for crimes of dishonesty. In the case of State v. Deffenbaugh, 217 Kan. 469 (1975) the Kansas Supreme Court held "that adjudications of delinquency in juvenile court involving dishonesty or false statement constitute convictions of crime within the meaning of K.S.A. 60-421 and are admissible for the purpose of impeaching the credibility of a witness. The same guidelines as to what constitutes 'dishonesty' applicable to felonies under K.S.A. 60-421 should be followed with regard to juvenile records." Under this case law this question can still be asked now.

Although I support HB 2352 I do have a concern that is not addressed in this bill, but was asked to be included in the bill but wasn't due to time. Eliminating juvenile misdemeanor priors from the list of impeachment evidence after the individual has stayed clean for 5 years after their 18th birthday should be included in this bill. Please add an amendment to K.S.A. 620-421 law that states: *"Evidence of a misdemeanor juvenile adjudication (of a crime of dishonesty) shall not be admissible for impeachment of a witness five years following the 18th birthday of the witness."*

The Greater Wichita Ministerial League, I and others believe HB 2352 including the above amendment is necessary to enable otherwise good candidates for law enforcement to overcome their past indiscretions which may have resulted in conviction/adjudication for a crime of dishonesty. This bill would also be beneficiary to law enforcement agencies in helping them to recruit more quality law enforcement officers and help build trust with communities they serve by being able to hire more officers of color.

Respectfully Submitted,
Representative Gail Finney