

MEMORANDUM

**TO: Representative Patricia Colloton, J.D., Chair
House Committee on Corrections and Juvenile Justice**
FROM: David R. Mouille, Ph.D.
RE: House Bill 2497 (In Support)
DATE: March 6, 2012

Ms. Colloton, my name is David Mouille, and I a psychologist licensed to practice in the State of Kansas. I am here to support the advancement of House Bill 2497. This bill is extremely important for the efficient operations of our courts, for the safety and welfare of our citizens, and for the justice and care given to our mentally ill and dangerous people. This legislative action will demand that mental health professionals produce forensic reports matching some minimally acceptable standard. Our courts, at the moment, are plagued with deficient and bad reports, and this is causing problems. Listen to the reaction of one judge, Judge Meryl Wilson:

When I received this report and read the report I was shocked at what I read, and that's based upon my own personal knowledge of this young man. If I have not indicated before on the record I will today, that I have been involved with him since he was a minor in Child in Need of Care matters, and if I recall correctly I believe there may have been one or two juvenile offenses, but eventually in the Child of Need of Care action. So I have over the years seen many reports, and read many diagnoses and I have observed him in the courtroom before. I've observed numerous outbreaks in this courtroom, one of which basically resulted in an extremely heavy table being tipped over. And I can go on, and on, and on, much as Mr. McRell has stated in the background, and his mother has stated, so when I read the report and they make various conclusions and various statements in here that I know from personal observation, but reading numerous reports from SRS, from doctors, from everybody else in the state system involved totally disagree, I have to – I have no faith in this report. None. I have no confidence in its conclusions, simply because factual information is not correct. It's not accurate. And I assume that having accurate information is important in having an accurate forensic evaluation. I know all of this information was available to them, if not through counsel, through Pawnee, or even other sources, if they didn't ask.

Based upon the evidence today,...I...find Mr. Weaver is incompetent...

I am also going to order that a copy of this transcript be made and forwarded to the appropriate authorities, not the least of which would be Larned State Hospital, which prepared this report, and I may request more than one copy, because I may have it forwarded to other appropriate agencies, because this is – to have such a report is just outrageous, in the Court's opinion. I have observed many people over the years on the bench and as counsel, and to make these kinds of conclusions leaves me scratching my head. I don't understand it. So that will be the Court's order.

House Corrections and Juvenile Justice
Committee
2012 Session
Date 3-6-12
Attachment # 5-1

This committee should give Judge Wilson what he needs to do his job. This committee should advance HB 2497.