



## Kansas County & District Attorneys Association

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To: Senate Judiciary Committee  
From: Alice Osburn, Chief Attorney  
Sedgwick Co. DA's Office  
Re: Support testimony for House Bill 2362  
Date: January 25, 2022

Senator Warren and members of the Committee, thank you for hearing this important measure this morning and considering my comments regarding improving the laws in the state of Kansas to further protect our children from child abuse. As a child abuse prosecutor, I support the changes embodied in House Bill 2263.

Additionally, I would request the addition of language to House Bill 2263 that would make it clear that "burning" is included as child abuse by including that term in (a)(2) recklessly causing great bodily harm to cover circumstances where an adult recklessly burns a child in a tub for example; and (a)(3)(A) knowingly causes great bodily harm to cover circumstances where the adult intentionally burns the child, puts a cigar out on the child, burns the child with a curling iron, scalds the child because they are angry about potty training, puts an infant in a hot dryer, etc.

I also respectfully request that the committee clarify the term "torture" as it relates to child abuse. Currently, under *State v. Wilson*, torture is defined as "inflicting intense pain to body or mind for purposes of punishment." As defined by this case the phrase "for purposes of punishment" ties our hands from charging Child Abuse.

I would be happy to answer any questions and if the Committee chooses to amend HB 2263, work with the Revisor to craft an appropriate amendment.