



LEGISLATIVE ALERT

March 9, 2004

The Kansas Meth Prevention Project (KMPP) asks you to voice your support of the proposed amendment for House Bill 2777.

The KMPP partner agency, the Kansas Bureau of Investigation, proposed the amendment in order to address discrepancies between two Kansas drug laws. This discrepancy was the basis for a January 30 Kansas Supreme Court decision which reduced the sentence for a meth manufacturer, Brian McAdam, from 14 years to 2.5 years.

BACKGROUND:

The discrepancy hinges upon the word "compounding." Because the crime of compounding drugs is mentioned in two Kansas drug laws, the Supreme Court ruled that a person convicted of the crime can face only the lesser of the two possible sentences.

The amendment for House Bill 2777 proposed by the KBI attempts to fix the discrepancy by deleting the word "compound" from the two drug laws and by clarifying the definition of "manufacture." The amendment for HB 2777 can be found at <http://www.kslegislature.org/bills/2004/SUB2777.pdf>.

The Kansas Supreme Court decision of State v. McAdam may have wide-reaching consequences, including the possibilities of **drastically reducing** the sentence for those found guilty of meth manufacture and of resentencing to lesser terms those inmates currently serving time for meth manufacture.

TAKE ACTION:

The amendment is now in the hands of the Senate Judiciary Committee. Please voice your support for the amendment by contacting your Kansas legislators and senators on the Senate Judiciary Committee, especially its chairman, Senator John Vratil. Ask them to put the amendment on their agenda and urge them to support the amendment to House Bill 2777. Please call, email, or fax the legislators.

Please send me a copy of your fax or email, if possible. If you call your legislator, please drop me an email that you did.

A list of Kansas Senate Judiciary Members: <http://www.kslegislature.org/cgi-bin/senate/committees.cgi>

Chairman John Vratil: <http://www.kslegislature.org/senateroster/s11.html>

A list of Kansas Senators: <http://www.kslegislature.org/senateroster/index.html>

INTERESTED IN MORE INFORMATION?

Read the testimony in support of the amendment, given by Cristi Cain on February 17, 2004, for explanation of why the KMPP supports the amendment.

<http://www.ksmethpreventionproject.org/Resources.htm>

Read the entire Supreme Court opinion at

<http://www.kscourts.org/kscases/supct/2004/20040130/88139.htm>

Read the **Kansas City Star** articles about the Kansas Supreme Court decision and possible consequences. However, it costs a few dollars to download these articles:

(1) *Flaw in law could free meth 'cooks': Flood of appeals likely after Kansas ruling*, by Tony Rizzo, February 15, 2004

(2) *Prosecutors hope Kansas high court ruling won't cut methamphetamine sentences*, by the Associate Press, February 5, 2004.

Thanks for your assistance. The KMPP is working hard to fight the methamphetamine problem in Kansas and we appreciate your support.

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