Joey’s Law

SB74

WHAT THE MEASURE DOES:

* The bill authorizes the Secretary of Revenue to adopt rules and regulations necessary to carry out the provisions of Joey’s Law.
* The bill authorizes issuance of placards to persons who need assistance with cognition, including, but not limited to, persons with autism spectrum disorder, for use in a vehicle.
* The bill authorizes a decal to be affixed to a license plate in addition to a placard and an indicator on the driver’s license.
* The bill directs the Director to issue to the person who needs assistance with cognition an individual identification card to be carried by the person who needs assistance with cognition when the motor vehicle with the placard is being operated or occupied by such person. Information on the card will include the date of birth and the gender of the person to whom the card is issued.
* The bill requires the design of the placard to be determined by the Director of Vehicles (Director) for use in any motor vehicle operated or occupied by such person.
* (Requirements for placards and accompanying identification cards are very similar to those for receiving a placard indicating a person with disability; see KSA 2016 Supp. 8-1,125.)
* Placards and individual identification cards associated with them will be valid as long as the person who needs assistance with cognition is eligible for a placard.
* The bill requires permanent placards and individual identification cards be returned to the Kansas Department of Revenue upon the death of the person who needs assistance with cognition.

ISSUES DISCUSSED:

* Advocates want to make sure it’s not used for profiling or by criminals to target victims.
* Training for law enforcement on best approaches
* Joey Webber had a valid driver’s license to operate the motor vehicle. He panicked and ran, they yelled stop or I’ll shoot, so probably never had time to check his license.
	+ (Val - At what point does an individual’s cognition impede ability to receive D.L. wouldn’t want an adverse effect of not issuing D.L.)
* Some individuals may need the protection, but may be reluctant because they could be targeted by bullies or other individuals in the community.

EFFECT OF LAW:

* To prevent an unnecessary death of an individual with a disability.
* The bill requires satisfactory proof a person needs assistance with cognition and that the proof include a statement from a person licensed to practice the healing arts in any state, an advanced practice registered nurse licensed in Kansas, a licensed physician assistant, or a person clinically licensed by the Kansas Behavioral Sciences Regulatory Board certifying that such person needs assistance with cognition.
* The bill requires the placard be suitable for attachment to the visor of the vehicle or placement on the dash of the vehicle. Voluntary
* Has to have a certification from a medical professional, can include a behavior health, who certifies a cognitive deficit
* Tag, Registration, plaque on visor or review mirror, or D.L., some care or attention.

BACKGROUND:

A 36 year-old individual with autism, Joey Webber, was killed by a police officer. Joey was shot in front of New Age Services, which is a residential day services provider that also is a place for those with an intellectual disability to come together.

Joey Weber was stopped for a traffic violation. Joey became flustered when the police officer pulled him over for an expired license plate. The officer didn’t know Weber had undergone treatment for autism, anxiety disorder and other conditions. The 36-year-old man, uneasy around the flashing lights and raised voices of law enforcement, fled in the car in an attempt to go home.

Weber was not following orders. The officer called for backup, which led to a 1.1-mile chase. The officer fired one shot, which fatally injured Weber. The officer was put on administrative leave while they investigated the incident.

The City released a list of training officers go through in regards to dealing with the mentally handicapped. The details of the training officers go through reportedly includes a list that consists of “mental health first aid, recognizing and dealing with persons with mental illness and interaction with special populations.”

Sen. Richard Billinger, a Goodland Republican who helped carry the bill through the Senate and Rep. Gail Finney, D-Wichita, worked on the bill in the House. It was a collaborative effort and bipartisan effort. Rep Finney credited advocate organizations that advocate on behalf of people with disabilities with the role they played in gaining passage of the bill.

Governor Brownback signed House Bill 2217 to also authorize issuance to emergency medical responders, law enforcement personnel, or regular or volunteer firefighters a drug approved by the FDA to counteract an opioid overdose. The legislation is intended to provide rapid treatment for someone suffering an overdose of heroin or a prescription drug before arrival at a hospital.

Advocates (NAMI, DRC, SAK, ILCs, etc.)

Rick Cagan, Rocky Nichols