

**Minutes of the Kansas Sentencing Commission Meeting
August 21, 2014**

The Honorable Evelyn Z. Wilson, Chair, called the Kansas Sentencing Commission meeting to order on August 21, 2014 at 1:44 p.m.

Participants:

Members:

- Honorable Evelyn Z. Wilson, Chair
- Honorable W. Lee Fowler, Vice Chair
- Honorable Patrick D. McAnany
- Senator David B. Haley
- Representative Tom Sawyer
- Representative John J. Rubin
- Senator Carolyn McGinn
- David W. Riggin, Kansas Prisoner Review Board
- Amy Hanley, Kansas Attorney General's Office
- Chris A. Mechler, Office of Judicial Administration
- Secretary Ray Roberts, Department of Corrections
- Kevin N. Berens, Thomas County Attorney
- J. Shawn Elliott, Attorney
- Elizabeth M. (Betsy) Gillespie, Director of Corrections, Johnson County
- Jennifer C. Roth, 3rd Judicial District Assistant Public Defender
- Edward (Eddie) J. Regan, Public Member
- Reverend Junius B. Dotson, Public Member

Guests:

Ryan Sakoda, J.D., Harvard University
Thomas Barrios, PhD, University of Michigan
Susanna Honaker, Little Government Relations, LLC
Tim Madden, Department of Corrections

Staff:

Scott M. Schultz, Executive Director
Sean Ostrow, SB 123 Program Director/ Staff Attorney
Kunlun Chang, Director of Research
Brenda Harmon, Special Assistant to the Executive Director
Trish Beck, Program Assistant
Fengfang Lu, Senior Research Analyst
Jennifer Dalton, Accountant
Ebo Browne, Research Analyst

Approval of Proposed Agenda

Chair Wilson asked for a motion to approve the proposed agenda as written. Betsy Gillespie moved to approve the agenda and Chris Mechler seconded the motion. The motion carried and agenda stands as written.

Chair Wilson welcomed Representative Tom Sawyer, Wichita, as the latest appointment to the Commission.

Approval of Minutes

Chair Wilson referred to the Sentencing Commission meeting minutes of June 19, 2014. Betsy Gillespie moved to approve the minutes and Kevin Berens seconded the motion. The motion carried and the minutes were approved.

Review and Approval of the FY 2015 Prison Population Projections

Scott Schultz, Executive Director provided and requested approval of the FY 2015 Prison Population Projections as recommended by the FY 2015 Prison Population Projection Consensus Group.

Vice Chair Fowler moved to approve the projections as presented. The Consensus Group recommendation was considered as a seconding body to approve. The motion carried and the FY 2015 Prison Population Projections were approved as written.

“Recidivism and the Labor Market for Ex-Offenders”

Ryan Sakoda, J.D. and Thomas Barrios, PhD presented their most recently completed study and findings in a report entitled, *Recidivism and the Labor Market for Ex-Offenders*. Data for their study was previously provided by the Commission.

The report will be sent to Commission members electronically.

SB 123 Subcommittee Report

Chris Mechler reported that Sean Ostrow and she met with Dr. Mitchell Fletcher with the Veterans Justice Outreach Office to continue working on a process regarding allowing offenders who are veterans to access SB 123 services.

The working group discussed the utilization of the Kansas Client Placement Criteria (KCPC) assessment to compliment the current LSI-R.

Sean Ostrow is working with the Kansas Department of Aging and Disabilities Services and will develop a Memorandum of Understanding (MOU) to obtain authorization from the KCPC for future access to data.

National Association of Sentencing Commissions Conference Report

Representative John Rubin reported that Chair Wilson, Scott Schultz, and he attended the 2014 National Association of Sentencing Commissions Conference (NASC) in New Haven,

Connecticut on August 4-6. The conference focused on “Lessons Learned: Guiding Shifts in Sentencing Policy.”

Scott Schultz presented during one of the breakout sessions at the conference, “Advisory vs. Presumptive Guidelines”, contrasting the form and function of each type of sentencing guidelines.

Agency Report

Scott Schultz provided a brief summary of the agency’s activities since the last meeting and reviewed various KDOC prison population reports.

The Commission was advised as to the status of an inpatient SB 123 facility in which the company was in the process of dissolving. Sunrise, Inc., Larned, recently had wound up operations and liquidated the company. As a result, the company held \$90,000. At least two other state agencies waived action against the company. The Commission has \$22,121 that was pending when KDADS suspended the company’s license in 2013. Chris Mechler moved to enter into a mutual release of claims with Sunrise, Inc. and allow the company to donate the proceeds to Valley Hope Association Foundation, a Kansas not-for-profit corporation in Norton, Kansas. Vice Chair Fowler seconded and the motion carried.

The Commission was further advised that the University of Cincinnati has recently requested a no-cost extension with the Commission for the contracted SB 123 study. The project deadline was originally September 30, 2014. The request was for two months to October 31, 2014. Kevin Berens moved to enter into the extension with UC. Rep. John Rubin seconded and the motion carried.

Next Meeting

The next Sentencing Commission meeting will be at 1:30 p.m. on September 25, 2014 at the Jayhawk Tower, Senate Room.

Meeting adjourned 4:43 p.m.