

**Minutes of the Kansas Sentencing Commission Meeting
June 25, 2015**

The Honorable Evelyn Z. Wilson, Chair, called the Kansas Sentencing Commission meeting to order on June 25, 2015 at 1:37 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. Riggan, Kansas Prisoner Review Board
- Steve Karrer, Kansas Attorney General's Office Designee
- 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:

Tim Madden, Senior Counsel, Department of Corrections
Kathleen Graves, Deputy Secretary, Department of Corrections
Stuart Little, Ph.D., Little Government Relations, LLC

Staff:

Scott M. Schultz, Executive Director
Kunlun Chang, Director of Research
Brenda Harmon, Special Assistant to the Executive Director
Charlene Peacock, Utilization Review/SB 123 Program Director
Trish Beck, Program Assistant
Ebo Browne, Research Analyst
Jesse Becker, Finance Director

Approval of Proposed Agenda

Chair Wilson requested a motion to approve the proposed agenda as written. Judge McAnany moved to approve the agenda and Chris Mechler seconded the motion. Betsy Gillespie requested to amend the agenda by adding new business. Judge McAnany approved the friendly amendment, Chris Mechler seconded and the amended agenda was approved with the addition of New Business.

Approval of Minutes

Chair Wilson referred to the Sentencing Commission Teleconference meeting minutes of May 28, 2015. Judge McAnany moved to approve the minutes as written. Secretary Roberts seconded the motion and the minutes were approved.

Welcome New Staff Members

Scott Schultz, Executive Director introduced new Sentencing Commission staff member Jesse Becker, MBA, as the agency's newest Finance Director. Mr. Becker began work on June 1 and will be replacing John Spurgeon.

Review and Approval of Sentencing Forms

Scott Schultz, Executive Director provided the proposed 2015 sentencing forms as amended to reflect the 2015 Legislative Session outcomes: Presentence Investigation Report (PSI), Journal Entry of Judgment (JE) and Journal Entry of Probation Violation Hearing (PVJE).

Listed below are additional proposed amendment to the forms:

PSI - amend page 5, section 6 by removing the "Department of Corrections" box
JE - amend the additional offense pages to reflect the proposed changes in Section IV, #4 and #5 and amend the symbol in section VI, #2 to be a "cross" next to "Total Restitution"
PVJE - no amendments were made

Kevin Berens moved to approve the 2015 sentencing forms as proposed and amended. Representative Rubin seconded the motion. The motion carried and the 2015 sentencing forms were approved as amended.

SB 123 Update

Chris Mechler, SB 123 Subcommittee chair, provided a brief overview regarding the SB 123 Subcommittee's discussion and proposals. Changing existing and adding new modalities will be presented to SB 123 treatment providers for feedback.

Agency Report

Scott Schultz provided a summary of the agency's activities since the last meeting and advised the members on the agency's upcoming activities:

- New data entry position request was approved by the Legislature and the hiring process will begin shortly
- *State vs. Pearce* – discussed case that is on Petition for Review with Kansas Supreme Court that may affect criminal history and scoring
- SB 123 staff are researching Kansas.gov to assist with automated payments for the Desk Reference Manual. A request to pursue a contract with Kansas.gov was granted

- SB 123 Treatment Providers Payment System (TPPS) overhaul – Staff are exploring a partnership with Kansas.gov to assist with online portal/tracking on payments and electronically filing Invoice for Purchase of Service forms from the treatment providers. Additional funding opportunities (grants) through Kansas.gov is also being studied
- Research staff will attend the NCJA/JRSA Conference in Atlanta August 2-5.

Mr. Schultz referred to and discussed Secretary Robert's monthly letter to the KSC regarding the current prison capacity as well as the Prison Population Monthly Monitoring Reports.

New Business

Betsy Gillespie led an informational discussion regarding the present differences in the LSI-R scoring guides when assessments are made by community corrections and court services. No action was taken.

Next Meeting

The next Sentencing Commission meeting will be at 1:30 p.m. on July 23, 2015 at the Jayhawk Tower, Senate Room.

Meeting adjourned 3:08 p.m.