

STATE OF KANSAS



KANSAS SENTENCING COMMISSION
700 SW JACKSON, SUITE 501
TOPEKA, KS 66603
PHONE: (785) 296-0923

HONORABLE EVELYN Z. WILSON, CHAIR
HONORABLE W. LEE FOWLER, VICE CHAIR
SCOTT M. SCHULTZ, EXECUTIVE DIRECTOR
<http://www.sentencing.ks.gov>

GOVERNOR JEFF COLYER, M.D.

Minutes of the Kansas Sentencing Commission Meeting April 19, 2018

The Honorable Evelyn Z. Wilson, Chair, called the Kansas Sentencing Commission (KSSC) meeting to order on April 19, 2018 at 1:36 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 Barker
- Senator Carolyn McGinn
- Jonathan Ogletree, Kansas Prisoner Review Board
- Jessica G. Domme, Kansas Attorney General's Office
- Chris A. Mechler, Office of Judicial Administration
- Tim Madden, Secretary of Corrections Designee
- Dan Dunbar, Shawnee County Chief Deputy District Attorney
- Stacey L. Donovan, Third Judicial District Public Defender's Office
- Christopher Mann, Private Attorney
- James Echols, Public Member
- Ronald Pauls, Public Member

Guests

Kim Parker, KCDAA Prosecutor Coordinator
Alexis Simmons, Little Government Relations, LLC

Staff

- Scott M. Schultz, Executive Director
- Brenda Harmon, Special Assistant to the Executive Director
- Kunlun Chang, Director of Research
- Fengfang Lu, Senior Research Analyst
- George "Ebo" Browne, Research Analyst
- Erica Waggoner, Finance Director
- Trish Beck, Program Assistant
- Bryanna Estanol, Administrative Assistant
- Anna Wolf, Attorney
- Kira Johnson, SB 123 Program Director

Approval of Proposed Agenda

Chair Wilson asked if there were any objections to the agenda. There were no objections to the agenda.

Approval of Minutes

Chair Wilson referred to the Sentencing Commission meeting minutes of March 16, 2018. Jessica Domme moved to approve the minutes and Chris Mechler seconded the motion. The motion carried and the minutes were approved.

Approval of Revisions to the 2017 Journal Entry Forms

Executive Director, Scott Schultz, provided proposed changes to Kansas Sentencing Guidelines Act forms, including the Presentence Investigation Report (PSI) and the Journal Entry of Judgment (JE).

After discussion, Jessica Domme moved to include the lifetime postrelease statute as highlighted in the provided documents and to refer the matter back to the Forms committee to discuss permitting confidential information to be included in the PSI being distributed to Community Corrections pursuant to K.S.A. 21-6813(c). Dan Dunbar seconded the motion. Representative Barker proposed a substitute motion to move language in the JE from Probation Term in Section IV to Miscellaneous Provisions in Section VII, allowing the courts to authorize Community Corrections access to the confidential information listed in K.S.A. 21-6813(c). Chris Mechler seconded the motion. After discussion the substitute motion failed on a 5-5 vote. Jessica Domme, Stacey Donovan, Dan Dunbar, Judge Wilson and Tim Madden opposed the motion.

Chair Wilson referred back to the original motion from Ms. Domme. After discussion, the motion carried and the matter was referred back to the Forms committee for further consideration. Representative John Barker, Chris Mechler, and Vice Chair Lee Fowler opposed the motion.

Chair Wilson recommended that the Forms committee undertake an expedited meeting schedule within the next few days and a teleconference meeting regarding the revisions to the 2017 Journal Entry Forms be convened with the full Commission shortly thereafter.

Executive Session

At 2:10 p.m., Chair Wilson moved to go into executive session for 30 minutes to discuss personnel matters. Representative Barker seconded the motion and the motion carried.

At 2:40 p.m., the Commission returned to open session and the meeting resumed. Dan Dunbar moved to increase Executive Director Scott Schultz salary by 2.5%, effective on May 24, 2018. Representative Barker seconded the motion and the motion carried.

Chair Wilson moved to return to executive session at 2:44 p.m. for 10 minutes to discuss data-related financial matters of the agency. Chris Mechler seconded the motion and the motion carried.

At 2:54 p.m., the Commission returned to open session and the meeting resumed. Stacey Donovan moved to accept the proposal from the SB 123 RFP committee. Jessica Domme seconded the motion and the motion carried.

Employee Rewards and Recognition Program

Executive Director, Scott Schultz presented recognition awards for the first quarter of 2018 as follows:

- Length of Service: Carrie Krusor, Data Entry Operator III (15 years)
- Employee of the Quarter: Chris Chavez, Research Analyst III; Mr. Chavez will also be recognized by the Governor in a separate ceremony on May 31, 2018.

Mr. Schultz also recognized and thanked Ms. Fengfang Lu for her almost 20 years of dedicated service to the Sentencing Commission as its Senior Research Analyst and informed the Commission of her pending retirement on June 1, 2018. Mr. Kunlun Chang, Director of Research and Ms. Lu's supervisor, also provided memories and congratulations to Ms. Lu.

Mr. Schultz advised that two staff members have been promoted within the agency:

- George "Ebo" Browne - Senior Research Analyst; and
- Erica Waggoner – Statistical Analysis Center Director for Kansas

Legislative Update

Executive Director, Scott Schultz reported the status of KSSC 2018 proposed legislation and provided a handout referencing the current status of each proposed bill.

Agency Report

Executive Director, Scott Schultz provided a summary of the agency's activities since the last meeting.

Next Meeting

The next Sentencing Commission meeting will be at 1:30 p.m. on May 24, 2018 in the Senate Room of the Jayhawk Tower.

Meeting adjourned at 3:29 p.m.