

# STATE OF KANSAS



KANSAS SENTENCING COMMISSION  
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HONORABLE W. LEE FOWLER, CHAIR  
HONORABLE BENJAMIN J. SEXTON, VICE CHAIR  
SCOTT M. SCHULTZ, EXECUTIVE DIRECTOR  
<http://www.sentencing.ks.gov>

GOVERNOR JEFF COLYER, M.D.

## Minutes of the Kansas Sentencing Commission Teleconference Meeting November 15, 2018

The Honorable W. Lee Fowler, Chair, called the Kansas Sentencing Commission (KSSC) teleconference meeting to order on November 15 at 1:30 p.m.

### Participants:

#### Members:

- Honorable W. Lee Fowler, Chair
- Honorable Benjamin J. Sexton, Vice Chair
- Honorable Stephen D. Hill, Kansas Court of Appeals
- Senator David B. Haley
- Representative Tom Sawyer
- Representative John Barker
- Senator Carolyn McGinn
- Jonathan Ogletree, Kansas Prisoner Review Board
- Jessica Domme, Kansas Attorney General's Office
- Chris A. Mechler, Office of Judicial Administration
- Tim Madden, Secretary of Corrections Designee
- Joe Norwood, Secretary of Corrections
- 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
- Shelly Williams, Community Corrections Director

#### Guests:

Ed Klumpp, Kansas Association of Chiefs of Police, Kansas Sheriff's Association and Kansas Peace Officers Association  
Jason Thompson, Kansas Office of Revisor of Statutes  
Kim Parker, Kansas County & District Attorney Association's Prosecutor Coordinator

**Staff:**

- Scott M. Schultz, Executive Director
- Brenda Harmon, Special Assistant to the Executive Director
- Kunlun Chang, Director of Research
- George “Ebo” Browne, Senior Research Analyst
- John Grube, Research Analyst
- Trish Beck, Program Assistant
- Bryanna Estanol, Administrative Assistant
- Kira Johnson, SB 123 Program Director
- Jamie Mai, Administrative Assistant
- Francis Givens, Staff Attorney

**Approval of Proposed Agenda**

Chair Fowler asked if there were objections to the agenda. There were no objections. The agenda was approved.

**Approval of KSSC Meeting Minutes**

Chair Fowler referred to the October 25, 2018 KSSC minutes. Jessica Domme moved to approve the minutes and Representative Tom Sawyer seconded the motion. The motion carried and the minutes were approved.

**2013 HB 2170 Committee Report and Proposed Legislation**

Vice Chair Sexton referred to the proposed legislative bill draft entitled, *AN ACT concerning crimes, punishment and criminal procedure; relating to conditions of probation; sanctions for violation; amending K.S.A. 2018 Supp. 21-6604, 22-3716 and 22-3717 and repealing the existing sections* and reported the KSSC 2013 HB 2170 Committee’s proposed amendments.

Dan Dunbar moved to remove the 120 day and 180 day sanctions in K.S.A. 22-3716. Chris Mechler seconded the motion. The motion passed.

Shelly Williams moved to limit the two day or three day sanctions in K.S.A. 22-3716 to 18 days in total rather than increase them to 30 days. Chris Mechler seconded the motion. The motion passed.

Jessica Domme moved to amend K.S.A 21-6604 so that judges may impose a sanction of up to 60 days for a technical violation before revoking probation. Dan Dunbar seconded the motion. Chair Fowler, Vice Chair Sexton, Shelly Williams, Chris Mechler, Representative Tom Sawyer, and Secretary Joe Norwood voted no. The motion failed.

Christopher Mann moved to amend K.S.A. 21-6604 so that judges shall impose up to 60 days as a sanction prior to revocation for technical violations. Vice Chair Sexton seconded the motion. The motion passed. Jessica Domme, Dan Dunbar, Chris Mechler, and Judge Stephen Hill voted no.

### **Agency Report**

Executive Director Schultz provided an update on the agency's latest activities since the last meeting.

### **Adjournment**

Chris Mechler moved to adjourn. Representative Tom Sawyer seconded the motion and the motion passed.

Meeting adjourned at 2:10 p.m.

The next Sentencing Commission meeting will be on Thursday, December 13, 2018 in the Senate Room of the Jayhawk Tower.