

Minutes of the Kansas Sentencing Commission Zoom Meeting June 24, 2021

The Honorable W. Lee Fowler, Chair, called the Kansas Sentencing Commission (KSSC) to order on June 24, 2021, at 1:29 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 Dennis "Boog" Highberger
- Representative John Barker
- Senator Carolyn McGinn
- Jonathan Ogletree, Kansas Prisoner Review Board
- Jessica Domme, Kansas Attorney General's Office
- Spence Koehn, Office of Judicial Administration
- Jefferey Zmuda, Secretary of Corrections
- Mark Dupree, Wyandotte County District Attorney
- Jessica A. Glendening, Third Judicial District Public Defender's Office
- Pat Colloton, Public Member
- Jermaine Wilson, Public Member
- Shelly Williams, Community Corrections Director

Guests:

Murl Riedel, Kansas Legislative Research Department
Chris Esquibel, Kansas Association of Court Services Officers
Gwyn Harvey, Kansas Department of Corrections
Patrick Armstrong, The Council for State Governments Justice Center
Jennifer Kisela, The Council for State Governments Justice Center
Kevin Waring, Johnson County Chief Court Service Officer
Jeff Wagaman, Kearney and Associates
Stephanie Duriez, Kearney and Associates
Ryan Kelly, Riley County Community Corrections Intern
Mallory Lutz, Little Government Relations

Staff:

- Scott M. Schultz, Executive Director
- Brenda Harmon, Special Assistant to the Executive Director
- John Grube, Director of Research
- Jason Lamprecht, Research Analyst
- Kira Johnson, SB 123 Program Director
- Trish Beck, Program Auditor
- Grazi Gifford, Administrative Assistant

- Christopher Lyon, Staff Attorney
- Francis Givens, Special Projects Director
- Melissa Zoesch, Accounting Assistant
- Rachel Cole, Data Entry Operator
- Chris Chavez, Data Entry Operator

Approval of Proposed Agenda

Chair Fowler asked if there were any objections or additions to the agenda. The agenda was approved with no modifications.

Approval of March 19, 2021, KSSC Meeting Minutes

Chair Fowler referred to the March 19, 2021 Minutes. Jessica Domme moved to approve the minutes. Shelly Williams seconded the motion. The motion carried, and the minutes were approved.

Welcome New KSSC Staff Members

Executive Director Schultz introduced new Sentencing Commission staff members, Jason Lamprecht, Research Analyst, and Grazi Gifford, Administrative Assistant.

2021 Legislative Update

Executive Director Scott Schultz referred to the handout, *2021 Legislative Session*, and discussed SB 60 and HB 2026. Mr. Schultz stated progress is being made to fund HB 2026.

Review and Approval of the 2021 Sentencing Forms

Vice-Chair Sexton, KSSC Sentencing Forms Committee Chair, presented the Committee's proposed amendments to the 2021 Presentence Investigation Report (PSI), Journal Entry of Judgment and Journal Entry of Probation Violation forms. Jessica Domme moved to accept the Committee's proposed changes with the following amendment:

- PSI: Remove the number range on pages one through three for scoring WRNA and LS/CMI eligibility for SB 123.
- Very Low, Low, or Medium LS/CMI score ~~(0-19)~~
 - Low or Moderate WRNA score ~~(0-21)~~

Vice-Chair Sexton seconded the motion. The motion carried.

SB 123 Committee Update & Recommendations

Shelly Williams, KSSC SB 123 Committee Chair, provided an update on the SB 123 Committee's review of the statewide supervision and placement cutoff decisions based on risk levels and needs of offenders. Ms. Williams discussed the handout, *Kansas Sentencing Commission Probation Placement Criteria*, charting the Committee's proposed recommendations for the Women's Risk Needs Assessment (WRNA) and the Level of Service/Case

Management (LS/CMI) assessment tool cut-off scores for offenders eligible for 2021 HB 2026 diversion and 2003 SB 123 substance abuse treatment programs.

The Honorable Stephen Hill moved to adopt the proposed assessment thresholds for offenders eligible for 2021 HB 2026 diversion and 2003 SB 123 substance abuse treatment programs.

Pat Colloton seconded the motion. The motion carried.

KSSC FY 2020 Annual Report

John Grube, Director of Research, presented the *Kansas Sentencing Commission FY 2020 Annual Report*.

Commission members Jessica Domme, Pat Colloton, and Mark Dupree requested additional data be provided for the distribution of sentences by race.

Agency Report

Executive Director Scott Schultz informed the Commission about the recent activities of KSSC:

- Recognized and thanked members and staff of the KSSC Forms Committee, SB 123 Committee, and Legislative Committee.
- Reviewed and discussed the KDOC June 2021 Sentencing Letter and the KSSC Prison Population Monthly Monitoring Report.
- KSSC will be adding softphone capabilities on remote computers to the existing phone system.
- Meetings have been held with The Council for State Governments Justice Center to discuss Phase 2 of their implementation.
- The Kansas Criminal Justice Reform Commission will meet June 28, 2021, to discuss the extension of 2021 House Bill 2077, which allows the KCJRC one more year to make recommendations to the legislature.
- Under Supreme Court Rule 191, Chris Lyon, KSSC Staff Attorney, was appointed to serve as a member of the Specialty Court Committee.
- KSSC Staff has accepted an invitation to present at the Kansas Association of Court Service Officers 2021 Fall Conference.
- Work is being done to close Fiscal 2021 and preparing the agency's next budget due September 15, 2021.
- 2022 Prison Population Consensus Group meetings will be scheduled to take place in July and August.
- Updated the Commission on salary increases recommended by the agency's compensation study.

Adjournment

Representative Dennis "Boog" Highberger moved to adjourn. Vice-Chair Sexton seconded the motion. The motion carried.

The meeting adjourned at 3:03 p.m.

The next Sentencing Commission meeting will be Thursday, July 22, 2021, in the Senate Room of the Jayhawk Tower.