

**Minutes of the Kansas Sentencing Commission Zoom Meeting
November 18, 2021**

The Honorable W. Lee Fowler, Chair, called the Kansas Sentencing Commission (KSSC) Zoom Meeting to order on November 18 at 1:31 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:

Patrick Armstrong, Council for State Governments Justice Center
Jeff Wagaman, Kearney and Associates
Stuart Little, Little Government Relations
Gwyn Harvey, Kansas Department of Corrections

Staff:

- Scott M. Schultz, Executive Director
- Brenda Harmon, Administrative Services Manager
- John Grube, Director of Research
- Jason Lamprecht, Research Analyst
- Kira Johnson, SB 123 Program Director
- Trish Beck, Program Auditor
- Grazi Gifford, Administrative Specialist
- Christopher Lyon, Attorney

- Francis Givens, Special Projects Manager
- Melissa Zoesch, Finance Manager

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 September 15, 2021, KSSC Workshop Minutes

Chair Fowler referred to the September 15, 2021, KSSC workshop minutes. Jermaine Wilson moved to approve the minutes. Vice-Chair Sexton seconded the motion. The motion carried.

Review & Approval of SB 123 Committee Recommendations

Shelly Williams updated the Commission on the activities of the KSSC SB 123 Committee and referred to the handout, *SB 123 Treatment Modality Fee Comparisons*. Ms. Williams presented the Committee's recommendation to increase SB 123 treatment modality fees to the current rates of the Block Grant. Ms. Williams moved to approve the recommendations. Mark Dupree seconded the motion. The motion carried.

Review and Approval of the Presentence Investigation (PSI) and Journal Entry Forms

Vice-Chair Sexton discussed the KSSC Forms Committee's proposal to amend 2017 through 2020 PSI forms by moving the offender's address to page four to comply with privacy concerns and Supreme Court Rule. The Honorable Stephen Hill moved to approve the proposal. Representative Dennis Highberger seconded the motion. The motion carried.

Vice-Chair Sexton explained the KSSC Forms Committee's proposal to amend page one of the Journal Entry Offender Registration Supplement to reflect K.S.A. 22-4904(a)(2) rather than K.S.A. 22-4904(a)(4) in 2012 through 2018 Journal Entry forms. Vice-Chair Sexton moved to approve the proposal. Jessica Domme seconded the motion. The motion carried.

Review and Approval of 2022 KSSC Meeting Dates

Executive Director Scott Schultz referred to the handout *2022 KSSC Proposed Meeting Schedule*. Jermaine Wilson moved to approve the proposed schedule. Pat Colloton seconded the motion. The motion carried.

Agency Report

Executive Director Scott Schultz provided an update and summarized recent activities of the agency:

- November 2021 KDOC Prison Population Letter
- KSSC's Monthly Prison Population Monitoring Report

- KSSC continues to comply with the Department of Administration’s guidance, directing staff to work remotely until at least January 1, 2022.
- Due to printing issues, the 2021 DRM has been delayed and will be available in December.
- KSSC operates as the state’s Statistical Analysis Center (SAC). SACs perform various activities, including collecting, analyzing, and distributing criminal justice data. Information obtained from this data is shared with other SACs, researchers, policymakers, and the public to help guide evidence-based decisions. John Grube is the Director of the SAC and recently secured a successful audit from the U.S. Department of Justice, Bureau of Justice Statistics.
- Francis Givens, Special Projects Manager, reported on previous KSSC training webinars and discussed ideas for future webinars.
- Progress is being made in drafting a legislative proposal to amend K.S.A. 75-52,144(b), (c), and perhaps (f) to transfer the KDOC SB 123 Program Manager position and duties to KSSC.
- KSSC Budget Appeal – A request to fund salary increases recommended in the agency’s salary study and the request for additional 2021 House Bill 2026 funding was denied. KSSC has filed an appeal.
- The Kansas Criminal Justice Reform Commission will be meeting to complete recommendations to include in the Final Report to the 2022 Legislature due December 1, 2021.
- Recommendations of the Kansas Criminal Justice Reform Commission’s Proportionality and Sentencing Subcommittee were outlined.
- A KSSC Forms Committee meeting will be held to consider placing a QR code and text box on the first page of the Presentence Investigation, Journal Entry of Sentencing, and the Journal Entry of Probation Violation. Inclusion of the QR code and text box is an internal measure to save time and costs with scanning the forms and does not substantively affect practitioners.

Adjournment

The Honorable Stephen Hill moved to adjourn. Representative Dennis Highberger seconded the motion. The motion carried.

The meeting adjourned at 2:10 p.m.

The next Sentencing Commission meeting will be Thursday, December 16, 2021, at 1:30 p.m.