



KANSAS

KATHLEEN SEBELIUS, GOVERNOR

KANSAS SENTENCING COMMISSION

Honorable Ernest L. Johnson, Chairman
Attorney General Paul Morrison, Vice Chairman
Helen Pedigo, Executive Director

Minutes of the Kansas Sentencing Commission Meeting March 16, 2007

The Honorable Ernest L. Johnson, Chairman, called the Kansas Sentencing Commission meeting to order on March 16, 2007, at 1:33 p.m. The meeting was held in the Senate Room of the Jayhawk Tower Building, Topeka, Kansas.

Participants:

Members:

Honorable Ernest L. Johnson, Chairman
Attorney General Paul Morrison, Vice Chairman
Honorable Christel Marquardt
Honorable Larry Solomon
Senator John Vratil
Senator Greta Goodwin
Representative Janice Pauls
Patricia Biggs, Kansas Parole Board
Roger Werholtz, Secretary of Corrections
Chris Mechler, Office of Judicial Administration

Staff:

Helen Pedigo, Executive Director
Natalie Gibson, Staff Attorney
Kunlun Chang, Director of Research
Fengfang Lu, Senior Research Analyst
Lora Moison, Research Analyst
Jessica Brunton, Research Analyst
Brenda Harmon, Administrative Assistant
Janice Brasher, Grant Administrator
Marty Schmiedeler, Accountant
Jennifer Dalton, Accountant

Guests:

Honorable John White, Retired
Honorable Patrick Brazil, Retired
Chief Ed Klumpp, Retired, Topeka Police Dept.

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Approval of the Minutes

The Chairman referred to the minutes of the February 16th, 2007, Kansas Sentencing Commission meeting. A motion was made by the Honorable Christel Marquardt and seconded by Ms. Chris Mechler to approve the minutes as written. The motion carried.

Recodification Subcommittee Presentation/Request

Chairman Johnson introduced retired District Court Judge John White, retired Court of Appeals Judge Patrick Brazil and retired Topeka Police Chief Ed Klumpp as guests. They are members of the Recodification Subcommittee of the Kansas Criminal Justice Recodification, Rehabilitation and Restoration (3-R) Committee. Judge Marquardt also serves on this subcommittee. Among other duties, this subcommittee is charged with review and analysis of the Kansas Criminal Code and Procedures. They will make recommendations to the Legislature that are designed to ensure fair and proportionate sentencing, with a particular emphasis on the Kansas Sentencing Guidelines for drug crimes. The Legislature mandated the creation of the 3-R Committee with an outline of duties. Judge White presented a brief update and asked for Commission members' support in their continuing work of the recodification project.

Kansas Reentry Policy Council Update

Chairman Johnson announced Attorney General Paul Morrison was elected Chairman of the Kansas Reentry Policy Council at a recent meeting. General Morrison provided a brief review of some of the council's goals. There is a lot of interest nationally in extending some of the work Kansas has done with how we deal with sentencing policy. This policy council has a wide variety of representatives from many different arms of state government.

FY 2006 Annual Report Review and Possible Approval

Ms. Pedigo provided a PowerPoint presentation of the FY 2006 KSC Annual Report. A handout was provided. A motion to approve the Report as written was made by Secretary Roger Werholtz, and seconded by Judge Larry Solomon. The motion carried.

Impact Requested at Last KSC Meeting

Ms. Pedigo discussed data from a revised model of the Kansas Prison Population Projection. A handout was provided. The original model was based on 135 postrelease condition violators per month, which gave a 1.7% projected growth rate for new commitments. The revised model, dated February 20, 2007, was based on 105 postrelease condition violators per month. This is a 12% deduction of probation condition violators. The projected growth rate for new commitments was modified to 0.5%. The Commission chose not to take further action on this information at this time, since the new information represents a short term trend.

2003 – Senate Bill 123 Policy Amendment

Ms. Pedigo discussed an analysis of the drug treatment program payment policy amendment that had been requested a couple of months ago. A handout was provided. While a small overall increase in spending (due to the policy) is expected, it is believed to be manageable within the SB 123 budgeted allocation.

Legislative Update

Staff Attorney Natalie Gibson gave a brief outline of Legislation currently being followed by the Commission. A handout was provided.

Executive Director Report

Ms. Pedigo provided and discussed an executive director report, which outlined last month's main staff accomplishments. Items discussed included:

- Legislative information and meetings
- Budget recommendations
- Valley Hope pilot program
- Bed impacts
- Vera Institute presentation to Legislature, upcoming 36-month evaluation
- Data entry of journal entries
- First meeting of Journal Entry Subcommittee will be in April. Judge Solomon is Chairman
- Death in Custody Report submitted to Bureau of Justice Statistics

Next Meeting

The next Commission meeting is scheduled for Friday, April 13th, 2007, at 1:30 p.m. in the Senate Room of the Jayhawk Tower.

The Chairman adjourned the meeting at 2:56 p.m.