



KANSAS

KANSAS SENTENCING COMMISSION

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

KATHLEEN SEBELIUS, GOVERNOR

Minutes of the Kansas Sentencing Commission Meeting October 25, 2007

The Honorable Ernest L. Johnson, Chairman, called the Kansas Sentencing Commission meeting to order on October 25, 2007, at 1:43 p.m., once a quorum had been met. The meeting was held in the Senate Room of the Jayhawk Tower Building, Topeka, Kansas.

Participants:

Members:

Honorable Ernest L. Johnson, Chairman
Honorable Christel Marquardt
Senator Greta Goodwin
Senator John Vratil
Representative Janice Pauls
Roger Werholtz, Secretary of Corrections
Chris Mechler, Office of Judicial Administration
Annie Grevas, Director of Community Corrections, 28th Judicial District
Thomas Drees, Ellis County Attorney
Captain Dale Finger, Public Member
Reverend Junius Dotson, Public Member

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, Public Service Administrator
Janice Brasher, Fiscal Director
Marty Schmiedeler, Accountant
Jennifer Dalton, Accountant
Amanda Nations, Program Consultant
Trish Beck, Office Assistant

Approval of the Minutes

The Chairman referred to the minutes of the September 27, 2007, Kansas Sentencing Commission meeting. A motion was made by Ms. Annie Grevas and seconded by Ms. Chris Mechler to approve the minutes as written. The motion carried.

Juvenile Projections-Recommend Amendment of K.S.A. 74-9101

Ms. Helen Pedigo presented a possible amendment to K.S.A. 74-9101 to add juvenile projections to the official duties of the Commission. A handout was provided. Judge Johnson, Senator Vratil, Senator Goodwin, and Ms. Pedigo met with the governor's staff about a proposal to put forth legislation to have the KSC take on Juvenile Projections. A motion was made by Judge Marquardt and seconded by Senator Vratil to draft and request introduction of that legislation. The motion carried. The Commission established a conference call on November 6, 8:30 a.m. for the purpose of reviewing the juvenile projections prior to a scheduled presentation before the Corrections and Juvenile Justice Oversight Committee on November 7.

LSI-R-Recommend Amendment of K.S.A. 75-5291

Ms. Pedigo provided an update on the 2003 LSI-R Pilot Program of Johnson County. The LSI-R Pilot Program places offenders in either court services or community corrections, based on the LSI-R scores. Ms. Pedigo and Ms. Mechler met with Professor Alex Holsinger to discuss further study. A handout of possible options was provided. A motion was made by Secretary Werholtz and seconded by Senator Vratil to authorize the Executive Director to draft legislation, but to wait for more information about when the study will be completed to decide when and if to introduce legislation. The motion carried.

Kansas Recodification Commission

Judge Marquardt provided an update on the Recodification Commission. The Recodification Commission is making progress on the drug portion of the code. They voted to leave the tax stamp issue in the tax code. The Commission continues to communicate with the pharmacy board, so that pharmacy regulation statutes are not adversely affected by recommendations of the Recodification Commission. The Recodification Commission awaits recommendations from the Proportionality Subcommittee.

Executive Session

Judge Johnson requested that the KSC go into Executive Session for ten minutes to discuss a personnel matter. Representative Pauls made a motion to go into Executive Session and Senator Goodwin seconded it. The motion carried. Senator Vratil made a motion to go back into Executive Session for ten minutes and Representative Pauls seconded it. The motion carried. Representative Pauls made a motion to increase the Executive Director's salary to \$80,000 effective at the next pay period and Reverend Dotson seconded it. The motion carried.

Reentry Policy Council

Secretary Werholtz provided an update of recent action. He also discussed the implementation of 2008 House Substitute for Senate Bill 14.

Proportionality Subcommittee

- Mr. Drees provided an update of the Proportionality Subcommittee. Minutes from the last two meetings were provided. The Subcommittee has classified felonies ranked according to high, medium and low and then applied severity levels to those in the high category. Remaining tasks include rating the medium and low felonies, review sentencing ranges, attempt to merge drug crimes onto the nondrug grid and review the bed impacts of all recommendations.

Agency Report

Ms. Pedigo provided and discussed an agency report. Items discussed included:

- New staff additions include Trish Beck, new office assistant and inmate worker, Laura, who functions as receptionist.
- KSC 2008 proposed meeting dates are included in the packet and will be placed on the agenda for next month.
- Classification projections are included in the folder.
- Don Stemen or Andres Rengifo plan to present the 2003 SB123 36-month evaluation report at the November meeting.
- The SB 123 Monthly Insurance Report Form is needed monthly from providers, and beginning with November invoices, payment will be held if treatment providers haven't turned in a report form from the previous month.
- Statistics were presented on Journal Entry data entry and SB 123 invoices processed.
- Staff continues to work with Sedgwick County to comply with the Journal Entry format.

Next Meeting

A conference call is scheduled for Tuesday, November 6, 2007, at 8:30 a.m. to review juvenile correctional facility population projections.

The next Kansas Sentencing Commission meeting is scheduled for Thursday, November 15, 2007, at 1:30 p.m. in the Senate Room of the Jayhawk Tower.

A motion was made by Senator Vratil and seconded by Representative Pauls to adjourn the meeting. The motion carried, and the meeting was adjourned at 4 p.m.