

**Minutes of the Kansas Sentencing Commission Meeting
July 23, 2009**

The Honorable Ernest L. Johnson, Chairman, called the Kansas Sentencing Commission meeting to order on July 23, 2009, at 1:38 p.m. The meeting was held in the Jayhawk Tower Senate Room, Topeka, Kansas.

Participants:

Members:

Honorable Ernest L. Johnson, Chairman
Honorable Christel Marquardt
Honorable Richard M. Smith
Senator David Haley
Senator Tim C. Owens
Representative Janice L. Pauls
Representative Pat Colloton
Chris Mechler, Office of Judicial Administration
Secretary Roger K. Werholtz, Department of Corrections
Daniel E. Monnat, Private Defense Council
Thomas Drees, Ellis County Attorney
Annie E. Grevas, Community Corrections Program Director
Captain Dale A. Finger, Public Member
Jennifer C. Roth, Public Defender's Office

Guest:

Hon. Steven L. Hornbaker
Marie McNeal – for Patricia Biggs

Staff:

Helen Pedigo, Executive Director
Jennifer Dalton, Accountant
Trish Beck, Program Assistant

Welcome to New Member Jennifer Roth

Judge Johnson welcomed the newest commission member, Jennifer Roth.

Expansion of Drug Court Program

Hon. Steven L. Hornbaker was acknowledged as a special guest to discuss expansion of Drug Court Programs. Judge Hornbaker provided handouts describing the 8th Judicial District Drug Court Program, as well as suggested statutory amendments. The program targets non-violent, first-time offenders. The handouts also cover the advantages, benefits, and cost-savings to taxpayers.

He requested that the KSC consider the program, mentioned that funding may be available, and indicated that implementation of similar programs may result in SB 123 program savings, as well.

Judge Johnson suggested that the committee familiarize themselves with the Missouri Program with the focus on pre-conviction programming.

Approval of the Minutes

Chairman Johnson referred to the minutes of the June 25, 2009, Kansas Sentencing Commission (KSC) meeting. A motion was made to approve the minutes as written by Honorable Christel Marquardt and seconded by Tom Drees. The motion carried.

Legislative Post Audit

Ms. Pedigo provided an update on the audit currently underway by the Legislative Division of Post Audit, including a draft copy of the scope statement. The document indicates an effort to determine whether functions could be combined to gain cost efficiencies. Ms. Pedigo has been communicating with The Animal Health Commissioner, who experienced a similar audit last year, to get a better understanding of the process. It is anticipated that the audit will be completed in approximately 6 – 8 weeks.

KSC Workshop August 31 through September 1

Ms. Pedigo provided the workshop flyer for the 2009 Kansas Sentencing Commission Workshop, including a commitment form that she asked Commissioners to fill out and return. Arrangements are underway. Video-taping the speakers were suggested for future viewing. Judge Johnson will be emailing any information he receives on Drug Courts.

Proportionality Committee Update

Tom Drees reported that progress continues and indicated that a recommendation should be made to the Commission by September to create a bill merging the grids. The next meeting will continue focus on 2009 House Bill 2332. Merging grids will be the main recommendation.

Recodification Commission Update

Judge Smith reported that progress is being made and that work is moving at a steady pace. The Commission remains on task. Animal Cruelty was discussed at length.

DUI Commission Update

Sen. Owens was pleased with the attendance and interest in the organizational meeting, July 1 & 2. Three subcommittees were formed. The DUI Commission will meet 2 days a month to prepare a bill for the Legislature regarding DUI convictions on the 1st, 2nd, 3rd, and 4th and subsequent offenses.

KSC Agency Report

Helen Pedigo presented the KSC Agency Report. A handout was provided. The adult prison population is being developed and refined by the consensus group. The projection will be brought forth in August for Commission approval. 2009 Journal Entries, Probation Revocations, and PSI forms are available on the KSC website. The 2009 Desk Reference Manual continues to be drafted and orders arrive daily.

Next Meeting

The next Kansas Sentencing Commission meeting is scheduled to be held on Thursday, August 27, 2009, at 1:30 p.m. in the Jayhawk Tower Senate Room. Judge Johnson adjourned the meeting at 3:40pm.