

**Minutes of the Kansas Sentencing Commission Zoom Meeting
August 27, 2020**

The Honorable W. Lee Fowler, Chair, called the Kansas Sentencing Commission (KSSC) Zoom meeting to order on August 27 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
- Amy Raymond, Office of Judicial Administration Designee
- 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:

Victoria McGrath, McGrath Human Resources Group
Lisa Eickholt, McGrath Human Resources Group
Marie McNeal, Kansas Department of Corrections
Randy Bowman, Kansas Department of Corrections
Kim Parker, Kansas County and District Attorneys Association
Ed Klumpp, The Kansas Association of Chiefs of Police, Kansas Sheriff’s Association and
Kansas Peace Officers Association

Staff:

- Scott M. Schultz, Executive Director
- Brenda Harmon, Special Assistant to the Executive Director
- Kunlun Chang, Director of Research
- John Grube, Senior Research Analyst

- Kira Johnson, SB 123 Program Director
- Trish Beck, Program Assistant
- Jamie Mai, Administrative Assistant
- Christopher Lyon, Staff Attorney
- Francis Givens, Special Projects Director
- Melissa Zoesch, Finance Director

Approval of Proposed Agenda

Chair Fowler asked if there were any objections or additions to the agenda. Chair Fowler added discussion of the KSSC Workshop to the agenda and the agenda was accepted as modified.

Approval of July 23, 2020, KSSC Meeting Minutes

Chair Fowler referred to the July 23, 2020, minutes. The Honorable Stephen Hill moved to approve the minutes. Vice Chair Sexton seconded the motion. The motion carried.

KSSC Compensation Study Report

Lisa Eickholt, McGrath Human Resources Group Consultant presented the *KSSC Salary Study Executive Report* to the Commission. Executive Director Schultz shared the KSSC Personnel and Compensation Committee’s recommendation to approve the recommendations of the report, which included research analyst classification specifications regarding minimum qualifications, title changes or proposed job title changes to four positions, and to adopt Option Two implementation proposal. Committee members agreed to provide any assistance to the Governor’s office to gain staff salary increases. McGrath Human Resources Group also offered assistance at no charge, if needed.

The Honorable Stephen Hill moved to accept the Personnel & Compensation Committee’s recommendation. Vice Chair Sexton seconded the motion. The motion carried.

Review and Approval of SB 123 Graduated Sanctions Model for Provider Compliance

Kira Johnson, SB 123 Program Director, presented to the Commission a proposal of *Graduated Sanctions Model of Corrective Action for SB 123 Providers*. The model included four stages of an incremental process by which corrective action could be initiated in response to violation of program policy by providers. The model steps were:

1. *Education*: the initial step for the majority of violations which would include educational outreach and a time-limited correction period;
2. *Probation*: the secondary stage for moderate violations or failure to adequately address violations at the Education stage which would include educational outreach and a time-limited correction plan;
3. *Suspension*: a temporary suspension of a provider’s certification or ability to bill for services due to persistent inability to resolve violations at the Education stage or a more serious violation; and
4. *Termination*: a permanent revocation of certification and right to bill for services due to egregious violation which could be immediate or through due process to remove certification.

Amy Raymond moved to approve the model for future policy discussion. Jermaine Wilson seconded the motion. The motion carried.

Review and Approval of FY 2021 Prison Population Projections

Joh Grube, Senior Research Analyst, presented the *FY 2020 Prison Population Projections* to the Commission. Vice Chair Sexton moved to approve the projections. Jonathan Ogletree seconded the motion. The motion carried.

Review and Approval of Revisions to 2020 Journal Entry Sentencing Forms

Vice Chair Sexton presented the proposed changes to the 2020 Journal Entry of Judgment Form including,

- Page 5 Section VII., Box 12, checkboxes and language added to recap what specific counts have Firearms Special Rule finding and Domestic Violence designation; and
- Page 2 of Additional Offenses Box 6, removal of checkbox and language stating “Withheld authority of court services/community corrections to impose intermediate sanction pursuant to K.S.A. 21-6604(s) or (t).

Amy Raymond moved to approve the revisions. Shelly Williams seconded the motion. The motion carried.

KSSC Legislative Committee Update

Executive Director Schultz provided an update on the activities of the Legislative Committee.

2020 KSSC Workshop Discussion

Chair Fowler discussed with the Commission whether to proceed with the plan to have the 2020 KSSC Workshop in-person or to meet exclusively by Zoom meeting. After hearing feedback, Chair Fowler made the executive decision to hold the two-day workshop in September through a virtual Zoom meeting. No objections were made.

Agency Report

Executive Director Schultz provided an update on the agency’s latest activities since the last meeting. Mr. Schultz stated that KSSC staff remains working from home with an employee rotation of one staff member assigned to work in the office daily. Mr. Schultz informed the Commission that progress has been made with the Telehealth federal grant and that the 2020 Desk Reference Manual was nearly finished. Mr. Schultz also discussed the upcoming Special Rules and PSI & Journal Entry Basics webinars.

Adjournment

Jessica Domme moved to adjourn. Representative Dennis Highberger seconded the motion. The motion carried.

The meeting adjourned at 3:18 p.m.

Next Meeting:

2020 KSSC Workshop
Wednesday, September 16, 2020 & Thursday, September 17, 2020
9:00 AM – 5:00 PM