

**Minutes of the Kansas Sentencing Commission Zoom Meeting
December 16, 2021**

The Honorable W. Lee Fowler, Chair, called the Kansas Sentencing Commission (KSSC) Zoom Meeting to order on December 16, 2021, at 1:33 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
Jennifer Kisela, The Council for State Governments Justice Center
Jeff Wagaman, Kearney, and Associates
Ed Klumpp, KS Association of Chiefs of Police, KS Sheriff’s Association, KS Peace Officers Association

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

- Rachel Cole, Data Entry Specialist
- Trish Beck, Program Auditor
- Grazi Gifford, Administrative Specialist
- Christopher Lyon, Staff 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 November 18, 2021, KSSC Minutes

Chair Fowler referred to the November 18, 2021, KSSC meeting minutes. The Honorable Stephen Hill moved to approve the minutes. Jermaine Wilson seconded the motion. The motion carried.

Review & Approval of Proposed Legislation

Chair Fowler referred to the draft legislative proposal, 22rs2342 recommended by the KSSC SB 123 Committee. Executive Director Scott Schultz explained the proposed legislation amends language in K.S.A. 21-6824 and K.S.A. 75-52,144 by transferring the responsibility to certify SB 123 drug treatment providers participating in the SB 123 certified drug treatment program from the Kansas Department of Corrections to KSSC requiring the SB 123 Program Manager position functions to transfer to KSSC. Representative Dennis Highberger moved to approve the draft legislative proposal, 22rs2342 and introduce it to the 2022 Legislative Session. Jessica Domme seconded the motion. The motion carried.

Review and Approval of Letter to Governor Kelly

Chair Fowler referred to the 2022 Letter to Governor Kelly providing KSSC's 2022 proposed legislation and prison population reduction options. Executive Director Scott Schultz proposed adding an eleventh item to include transferring the responsibility to certify SB 123 drug treatment providers participating in the SB 123 certified drug treatment program from the Kansas Department of Corrections to KSSC. Mark Dupree moved to approve the 2022 Letter to Governor Kelly and include the additional proposal. Jermaine Wilson seconded the motion. The motion carried.

Review and Approval of Sentencing Forms

Executive Director Scott Schultz presented the KSSC Forms Committee's recommendation to place a QR Code on the first page of the Presentence Investigation, Journal Entry of Sentencing, and the Journal Entry of Probation Violation. The QR Code is an internal measure to save time and costs with scanning the forms. Jessica Domme moved to approve adding a QR Code to the sentencing forms. The Honorable Stephen Hill seconded the motion. The motion carried.

Agency Report

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

- December 2021 KDOC Prison Population Letter
- KSSC's Monthly Prison Population Monitoring Report
- The 2021 DRM is available for purchase.
- KSSC 2022 training webinars update
- KSSC has received the equipment purchased to hold hybrid meetings in the Senate Room and KSSC Conference Room.
- The 2022 Legislative Session will begin January 10, 2022.
- During the December 15, 2021, meeting, the KSSC SB 123 Committee adopted a Data Analysis Proposal:
 - Research suggests that duration of treatment is integral to positive outcomes; duration and predictive models of recidivism have not been studied within the SB 123 population
 - Proposal to examine data related to probation outcome as predicted by duration and several other factors (i.e., treatment intensity, demographics)
 - Data analysis performed in partnership with Dr. Vida Tyc from Florida Institute of Technology, Clinical Psychology Dept Chair, HERSA grant program director, Chair of Community Health program and Integrated Behavioral Health Studies
 - Research would satisfy requirement for Doctoral Research Project/Dissertation
 - In exchange, a summary of findings would be presented to the SB 123 Committee/Commission
- KSSC is one of six agencies invited to present information to the Legislative Budget & Compensation Committee.
- OITS Web Services continues work to migrate KSSC's website to a new environment. KSSC's website may have a different look in a few weeks.
- KSSC Journal Entry eFiling Project meetings have been held and progress is being made to add the Sentencing Journal Entries into the digital system.

Adjournment

Jermaine Wilson moved to adjourn. Representative Dennis Highberger seconded the motion. The motion carried. The meeting adjourned at 2:13 pm.

The next Sentencing Commission meeting will be Friday, January 21, 2022, at 1:30 pm.