

**Minutes of the Kansas Sentencing Commission Zoom Meeting  
March 25, 2022**

The Honorable W. Lee Fowler, Chair, called the Kansas Sentencing Commission (KSSC) Zoom Meeting to order on March 25, 2022, at 1:41 pm.

**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
- Jennie Wark, Kansas Prisoner Review Board Designee
- 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:**

Phillip Tomlinson, Kearney, and Associates  
Lorretta Sackey, Council for State Governments Justice Center  
Murl Riedel, Kansas Legislative Research Department  
Gwyn Harvey, Kansas Department of Corrections

**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

- Trish Beck, Program Auditor
- Grazi Gifford, Administrative Specialist
- Christopher Lyon, Staff Attorney
- Francis Givens, Special Projects 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 December 16, 2021, KSSC Minutes**

Chair Fowler referred to the December 16, 2021, KSSC meeting minutes. The Honorable Stephen Hill moved to approve the minutes. Mark Dupree seconded the motion. The motion carried.

### **2022 Legislative Update**

Executive Director Scott Schultz presented the *2022 Prison Bed Space Assessments Summary* and reported KSSC is currently tracking 82 legislative bills and has completed 35 prison bed space assessments.

Executive Director Scott Schultz presented the *2022 Legislative Update* reporting the status of the following bills of interest:

- **HB 2517** - Transfers SB 123 certification of treatment provider duties from KDOC to KSSC by amending three statutes.
- **HB 2673** – Expanding the number of presumptive and border grid blocks in the sentencing grid for drug crimes.
- **Sub for SB 300** – Amending the Kansas racketeer influenced and corrupt organization act to add a person who has engaged in identity theft or identity fraud to the definition of "covered person" and add identity theft and identity fraud to the definition of "racketeering activity."
- **SB 483** – Increasing criminal penalties for theft and criminal damage to property involving remote services units such as automated cash dispensing machines and automated teller machines.
- **S Sub for HB 2361** – Authorizing the supreme court to adopt rules establishing specialty courts programs, creating the specialty court funding advisory committee and specialty court resources fund, authorizing courts to order defendants to participate in specialty court programs, and allowing expungement of certain convictions when defendants complete the requirements of such programs.
- **HB 2387** – Revising laws relating to operating an aircraft under the influence, including prescribing criminal and administrative penalties; providing for testing of blood, breath, urine, or other bodily substances and preliminary screening tests of breath or oral fluid.
- **SB 366** – Specifying that the crime of burglary includes, without authority, entering into or remaining within any locked or secured portion of any dwelling, building, or other structure, with intent to commit another crime.
- **SB 408** –increasing the criminal penalties for multiple thefts of mail.

- **HB 2515** – Creating a mechanism to seek relief from the Kansas offender registration act requirements for drug offenders and allowing expungement of offenses when such relief is granted.
- **HB 2556** – Prohibiting denial of a petition for expungement due to the petitioner's inability to pay outstanding costs, fees, fines or restitution.
- **HB 2657** – Enacting the reduced armed violence act to increase the criminal penalties for certain violations of criminal possession of a weapon by a convicted felon that involve firearms. (Special Rule 49)
- **HB 2697** – Making changes to the process for evaluating and treating people who are undergoing evaluation for competency to stand trial and allowing such evaluation and treatment at various facilities.

The Legislative Budget Conference Committee meetings will be held on March 28 and 29, 2022. Nearly all KSSC budget requests have been recommended and approved by both chambers.

### **KSSC Educational Outreach Update**

Francis Givens, Special Projects Manager, provided an update on the Educational Outreach training provided since January 2022 and discussed upcoming webinar trainings.

### **Agency Report**

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

- The KDOC March 2022 Prison Population Letter and the KSSC February 2022 Prison Population Monthly Monitoring Report were reviewed and discussed.
- KSSC Journal Entry eFiling Project meetings have been held and progress is being made to add the Sentencing Journal Entries into the digital system.
- OITS Web Services continues work to migrate KSSC's website to a new environment. KSSC's website has a different look trying to be more mobile friendly.
- KSSC is in the process of purchasing a new firewall system.
- Johnson County Bench Bar presentation will be held on April 06, 2022

### **Adjournment**

The Honorable Stephen Hill moved to adjourn. Pat Colloton seconded the motion. The motion carried. The meeting adjourned at 2:48 pm.

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