

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairperson Pat Colloton at 1:30 p.m. on January 20, 2009, in Room 535-N of the Capitol.

All members were present except:

Representative Bob Brookens- excused  
Representative Melody McCray-Miller- excused  
Representative Joe Patton- excused

Committee staff present:

Jackie Lunn, Administrative Assistant  
Athena Andaya, Kansas Legislative Research Department  
Jerry Donaldson, Kansas Legislative Research Department  
Christina Butler, Kansas Legislative Research Department  
Jarod Waltner, Kansas Legislative Research Department  
Jason Thompson, Office of Kansas Legislative Revisor  
Sean Ostrow, Office of Kansas Legislative Revisor  
Jill Wolters, Office of Kansas Legislative Revisor

Conferees appearing before the Committee:

Richard Samaniego, Kansas County and District Attorneys  
Randy Hearrell, Kansas Judicial Council  
State Representative Jeff King  
Roger Werholtz, Secretary of Corrections  
Mark Masterson, Sedgwick County Community Corrections  
John Trembly, Northwest Kansas Community Corrections

Others attending:

See attached list.

Richard Samaniego, Kansas County and District Attorneys  
Randy Hearrell, Kansas Judicial Council ([Attachment 1](#))  
State Representative Jeff King, ([Attachment 2](#))  
Roger Werholtz, Secretary of Corrections ([Attachment 3](#))  
Mark Masterson, Sedgwick County Community Corrections ([Attachment 4](#))  
John Trembly, Northwest Kansas Community Corrections

The next meeting is scheduled for January 21, 2009.

The meeting was adjourned at 02:20 p.m.

Chairperson Colloton announced to the Committee she is appointing Representative Bethel, Representative Dillmore, and Representative Brookens to a subcommittee for review of SB 123 with the purpose of coming up with a better way to collect some of the money for treatment or keeping the system we currently have.

Chairperson Colloton called on State Representative Jeff King for a bill introduction. Representative King stated he would like to introduce a bill that would change sentencing for offenders convicted of simple battery that cause bodily harm against a law enforcement officer to presumptive imprisonment.

**Representative Kinzer moved introduction of the bill. Representative Roth seconded. Motion passed.**

Next, Chairperson Colloton recognized Richard Samaniego representing the Kansas County and District Attorneys Association to request four bill introductions. Mr. Samaniego presented written copy of his requests. ([Attachment 1](#)) He made the following bill requests:

- A bill concerning electronic solicitation clarifying section (a) (1) to include: Enticing or soliciting a person whom the offender believes to be a child who is 14 or more years of age, but less than 16 years of age to commit to an unlawful sexual act.

CONTINUATION SHEET

MINUTES OF THE House Corrections And Juvenile Justice Committee at 1:30 p.m. on January 20, 2009, in Room 535-N of the Capitol.

- A bill to include aggravated trafficking and electronic solicitation under the Kansas rape shield laws.
- A bill concerning the withdrawal of guilty pleas to include a time limitation with an excusable neglect provision.
- A bill relating to alternate juror selection providing for that such jurors may be selected at the same time as the regular jurors or after the jury has been empanelled and sworn, in the judge's discretion.

**Representative Bethel moved the introduction of the bills. Representative Pauls seconded. Motion passed.**

Chairperson Colloton called on Randy Hearrell representing the Kansas Judicial Council to request a bill introduction. Mr. Hearrell presented written copy of the bill request (Attachment 2) He requested a bill relating the transportation or possession of drug money and providing that possessing drug proceeds that come from another jurisdiction is illegal in Kansas.

**Representative Bethel moved the introduction of the bill. Representative Pauls seconded. Motion passed.**

Chairperson Colloton announced to the Committee that when the recodification bills introductions were made, in the meeting last week, she did not call for a vote and asked if someone would entertain another motion to introduce.

**Representative Dillmore moved the introduction of the three recodification bills. Representative Frownfelter seconded. Motion passed.**

Upon the conclusion of bill introductions, Chairperson Colloton introduced Roger Werholtz, Secretary of the Department of Corrections, to give an overview of SB 14 which was passed by the Legislature in the 2007 Session. Secretary Werholtz presented written copy of his power point presentation. (Attachment 3)

He opened by stating the intent of the Legislature is that SB 14 is to do three things:

- Establish funding to expand or create risk reduction efforts in community corrections
- Create incentives for inmates with selected offenses to participate in selected programs and treatment interventions targeted toward risk
- Increase the good time rate for inmates with lower severity level crimes

He went on with his power point presentation explaining SB 14 programs while addressing the questions and concerns of the Committee. During his presentation he called the Committee's attention to the *Comparison of Number and Rate of Community Corrections Offender Files Closed as Revocations, Unsuccessful Closure Rate and Successful Closure Rate in FY 2006 and FY 2008*. (Attachment 4) and introduced Mark Masterson, Director Sedgwick County Department of Corrections, to give his testimony. Director Masterson presented written copy of his testimony. (Attachment 5)

Director Masterson stated he was proud to report they have experienced a great deal of success implementing the research and philosophy of evidence-based practices and risk reduction into our local criminal justice system. His staff is working hard to learn and improve their skills in assessment, targeting case plans, facilitation cognitive skills groups, and using motivational techniques to the help their clients change behavior. He stated the results are very promising and went on to explain his statements with facts and data.

Upon the conclusion of Director Masterson's testimony, John Trembly, Director of NW Kansas Community Corrections came forward to give his testimony. He stated they were the only agency that handles

CONTINUATION SHEET

MINUTES OF THE House Corrections And Juvenile Justice Committee at 1:30 p.m. on January 20, 2009, in Room 535-N of the Capitol.

corrections and parole. They provide a program for methamphetamine treatment when offenders get out of prison. The program has become a sentencing tool and has been highly successful. In closing he stated that SB 14 is a great bill and he uses his entire SB 14 grant to provide free services.

Due to time restraints , Chairperson Colloton asked if Annie Grevas could come back another time to give her testimony and adjourned the meeting at 2:20 p.m. with the next meeting scheduled for January 22, 2009 at 1:30 p.m. in room 535 N.