

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 March 16, 2009, in Room 535-N of the Capitol.

All members were present.

Committee staff present:

Sean Ostrow, Office of the Revisor of Statutes
Jason Thompson, Office of the Revisor of Statutes
Athena Andaya, Kansas Legislative Research Department
Jerry Donaldson, Kansas Legislative Research Department
Jackie Lunn, Committee Assistant

Conferees appearing before the Committee:

Patricia Biggs, Kansas Parole Board
Tom Williams, Allen County Sheriff
Ed Klumpp, Kansas Association of Police Chiefs
Kyle Smith, Kansas Peace Officers Association

Others attending:

See attached list.

HB 2340 - Sub. For H 2340 by Committee on Corrections and Juvenile Justice - Legislative review of parole board factors and rationale for granting or denying parole.

Chairperson Colloton opened the continued hearing on **HB 2340** and introduced Patti Biggs, Parole Board, to continue her testimony as an opponent of the bill. Ms. Biggs opened by explaining the guide the Parole Board uses to determine eligibility for a parole hearing. During Ms. Biggs' testimony she took questions from the Committee. The Committee has concerns if proportionality is a part of the consideration for a parole hearing. In closing Ms. Biggs called the Committee's attention to a handout she provided entitled *Kansas Parole Board Notes and Case Review (Confidential)*, (Attachment 1) and stated the Parole Board uses it as an interview guide. She reviewed the interview guide which is made up of ten factors. During the review she explaining all ten factors and how they are used.

There being no others wishing to testify on **HB 2340** Chairperson Colloton closed the hearing.

Chairperson announced to the Committee that Helen Pedigo, Executive Director, Kansas Sentencing Committee, would come before the Committee tomorrow to explain the bed impact of the proportionality bill.

SB 26 - Additional months added to sentences for certain drug felonies involving firearms.

Chairperson Colloton opened the hearing on **SB 26** and introduced Tom Williams, Sheriff, Allen County, to give his testimony as a proponent of the bill. Sheriff Williams provided written copy of his testimony. (Attachment 2) He stated the bill places the responsibility for violations exactly where it should rest, on the individual that decides to use a firearm in a drug crime. Upon the completion of his testimony, Sheriff Williams asked the Committee to support the bill.

There being no questions for Sheriff Williams, Chairperson Colloton introduced Ed Klumpp, Kansas Association of Chiefs of Police, to give his testimony as a proponent of **SB 26**. Mr. Klumpp provided written copy of his testimony. (Attachment 3) Mr. Klumpp stated they were in support of the bill but are concerned with the reduction of the sentence, which, was done by the Senate Judiciary Committee. They feel it will reduce the effectiveness of the bill. He urged the Committee to consider an increase in the sentencing. In closing, he said the bill is good for law enforcement and for the public safety.

A short question and answer session followed.

Chairperson Colloton introduced Kyle Smith, Kansas Police Officer's Association and the Topeka Police Department, to give his testimony as a proponent of the bill. Mr. Smith provided written copy of his

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testimony. (Attachment 4) Mr. Smith stated they are in strong support of the bill. The bill would deter some drug dealers from carrying guns and would increase the safety of the public and police officers. In closing, he encouraged the Committee to pass the bill with some friendly amendments.

A lengthy discussion followed.

Upon the conclusion of the discussion, Chairperson Colloton called the Committee's attention to the "written only" proponent testimony of Tom Stanton, Deputy District Attorney, Reno County (Attachment 5) and the "written only" opponent testimony of Jennifer Roth, Kansas Association of Criminal Defense Lawyers. (Attachment 6)

Chairperson Colloton adjourned the meeting at 2:40 p.m. with the next meeting scheduled for March 17, 2006 at 1:30 p.m. in room 535 N.