



State of Kansas

Office of Judicial Administration

Kansas Judicial Center
301 SW 10th
Topeka, Kansas 66612-1507

(785) 296-2256

Testimony in Support of HB 2345
Chris Mechler, Court Services Specialist

House Corrections and Juvenile Justice
Monday, February 25, 2013

Chairman Rubin and members of the committee, thank you for allowing me to testify on HB 2345, regarding the distribution of DUI fines. The 2011 Kansas legislature increased the fine on DUIs and the application fee for a restricted driver's license. The additional revenues generated by the increased fines and fees were credited to the community corrections supervision fund to be used for grants to community correctional services. Court Services did not receive any portion of the increased revenues for supervision of offenders assigned to their supervision. HB 2345 would split the funding between Court Services and Community Corrections based on the percentage of offenders assigned to each entity.

As a result of 2011 legislation, DUI cases are assigned to supervision by either Court Services or Community Corrections. The Office of Judicial Administration and the local district courts analyzed DUI cases in which the DUI offense was committed between July 1, 2011, and July 1, 2012, and the case had been sentenced. We identified 1,748 cases. The breakdown of supervision assignments were:

- 67.3% or 1,177 cases were sentenced to Court Services supervision;
- 9.1% or 159 cases were sentenced to Community Corrections supervision;
- 7.2% or 125 cases were sentenced to an Alcohol and Drug Safety Action Program;
- 5.2% or 91 cases were sentenced to unsupervised probation; and
- 11.2% or 196 received another sentence such as local jail or time served.

While Court Services experienced an increase in the number of DUI offenders placed on supervision, additional funding was not included for supervision and treatment resources for those additional offenders. HB 2345 would redistribute 67% of the increased fines and fees to the correctional supervision fund which is used by Court Services for evidenced-based supervision practices. The Legislative Budget Committees have encouraged fee funding of many aspects of state government, including supervision costs. HB 2345 would allow for fee funding that is proportionate to the number of offenders supervised.

Thank you for the opportunity to provide information on HB 2345.