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Testimony Regarding HB 2658

Submitted by Jennifer Kisela, Deputy Program Director, State Division, The Council of State Governments (CSG) Justice Center

I would like to thank the chair and members of the committee for the opportunity to support the Kansas Criminal Justice Reform Commission's recommendation for HB 2658. The bill will increase the likelihood of success for people on community supervision and contribute to reducing violations. HB 2658 will ensure that conditions of supervision moving forward are standardized, realistic, relevant, and research supported.

This effort was deemed necessary when the 2020 Commission learned that there was no standardized format for supervision conditions across the state. CSG Justice Center staff worked with representatives from court services, community corrections agencies, and the Kansas Department of Corrections to learn the following:

- Standard conditions of supervision vary by jurisdiction in the number, type, length, and complexity across the state and do not meet best practice guidelines.
- The number of conditions varies dramatically; one area had as many as 55 different conditions of supervision.
- Of the 66 separate documents submitted by jurisdictions, many included between 15 and 25 standard conditions.
- Some jurisdictions have different timelines for reporting certain situations, which would cause confusion for people supervised by multiple jurisdictions.
- Conditions are not written in a consistent format.

The current conditions of supervision do not meet best practice standards, create unnecessary inconsistencies, cause confusion for supervision staff when a person on supervision transfers jurisdictions or is supervised by multiple agencies, and creates barriers for people to successfully complete supervision.

The 2020 and 2021 Commission worked closely with CSG Justice Center staff to improve conditions of supervision in Kansas. Over the course of two and a half years, members have examined policies from other states, reviewed reports on best supervision practices, and researched efforts from various criminal justice stakeholders. Research indicates that conditions

of supervision should allow for realistic, relevant, and research-supported practices.* It is understood that too many conditions can serve as a detriment to the success of the individual in need of supervision. Further, best practice dictates that conditions should

- Be limited in number;
- Be used to address behaviors associated with risk;
- Be used to foster behavior change;
- Be used to support positive outcomes;
- Be based on supervision goals;
- Be research supported or backed by evidence demonstrating that they promote individual success; and
- Have rehabilitative value.

HB 2658 creates a standardized list of general conditions of supervision that would apply to all people on supervision. The list is designed for easy readability and comprehension. It is the vision of the Commission that courts utilize standardized general conditions of supervision and tailor special conditions of supervision based on the risk and needs assessment of the person on supervision and any unique offense-based needs.

Thank you for the opportunity to comment on this important issue. I hope the committee will favorably consider HB 2658 and its many benefits.

Sincerely,
Jennifer Kisela

* Carl Wicklund, "The Three Rs of Conditions of Supervision" (Minneapolis: Robina Institute of Criminal Law and Criminal Justice, 2017), <https://robinainstitute.umn.edu/news-views/three-r%E2%80%99s-conditions-supervision>.