

MINUTES

JOINT COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE OVERSIGHT

November 28-30, 2022
Room 112-N—Statehouse

Members Present

Senator Molly Baumgardner, Chairperson
Representative Stephen Owens, Vice-chairperson
Senator Ethan Corson, Ranking Minority Member
Senator Elaine Bowers
Senator John Doll
Senator Oletha Faust-Goudeau
Senator Kristen O'Shea
Representative Sydney Carlin
Representative Dennis "Boog" Highberger
Representative Kyle Hoffman
Representative Jo Ella Hoye
Representative John Resman
Representative Eric L. Smith

Members Absent

Senator Renee Erickson

Staff Present

Meredith Fry, Kansas Legislative Research Department (KLRD)
Shirley Morrow, KLRD
Jillian Block, KLRD
Lindsay Archer, KLRD
Jason Thompson, Office of Revisor of Statutes
Jenna Moyer, Office of Revisor of Statutes
Natalie Scott, Office of Revisor of Statutes
Connie Burns, Committee Assistant

Conferees - November 28

Spencer Koehn, Court Services Specialist, Office of Judicial Administration
Randy Regehr, Director, Reno County Community Corrections
Shelly Williams, Director, Riley County Community Corrections
Steven Stonehouse, Director, Sedgwick County Department of Corrections
Russell Leeds, Assistant County Manager, Sedgwick County

Conferees - November 29

Ann Sagan, Advisory Committee Member, Kansas Judicial Council
Leslie Moore, Director of Information Services, Kansas Bureau of Investigation (KBI)
Marilyn Harp, Executive Director, Kansas Legal Services, Inc.
Laura Nordgren, Staff Attorney, Kansas Judicial Council
Honorable Ben Sexton, Advisory Committee Member, Kansas Judicial Council
Seth Wescott, Advisory Committee Member, Kansas Judicial Council
Brooklynn Graves, Manager of Offender Registration Unit, KBI
Scott Schultz, Executive Director, Kansas Sentencing Commission
Margie Phelps, Executive Director of Programs and Risk Reduction, KDOC
Jermaine Wilson, Mayor Pro Tem, City of Leavenworth
Randy Reinhardt, Chief Executive Officer, Zephyr Products, Inc.
Jason Miles, Director of Welding, Zephyr Products, Inc.
Lee Jost, Executive Director, NCircle

Conferees - November 30

Brooklynn Graves, Manager of Offender Registration Unit, KBI
Jeff Zmuda, Secretary of Corrections, KDOC
Brooke Martin, Architect, Dewberry Architects
Bruce Omtvedt, Architect, Dewberry Architects
Robert Olivarez, Vice President of Operations, Arista Recovery
Robert Sullivan, Director of Corrections, Johnson County Department of Corrections
Randy Bowman, Executive Director of Public Affairs, KDOC
Ellen Hawks, Director of Juvenile Service Center, Johnson County Department of Corrections
Jennifer Kisela, Deputy Program Director, Council of State Governments
Mike Fonkert, Campaign Director, Kansas Appleseed
Noah Bein, State Policy Manager, Justice Action Network

MONDAY, NOVEMBER 28 MORNING SESSION

Welcome

Chairperson Baumgardner called the meeting to order at 9:05 a.m.

Overview of the Kansas Open Meetings Act and Kansas Open Records Act

Jason Thompson, Senior Assistant Revisor of Statutes, Office of the Revisor of Statutes, provided an overview of the Kansas Open Meetings Act and Kansas Open Records Act. ([Attachment 1](#))

Overview - Committee's Duties and Functions in KSA 46-2801

Mr. Thompson provided an overview of the statute that created the Committee, the membership makeup, and directives for the Committee. ([Attachment 2](#))

Overview - Historical Committee Recommendations and Proposed Legislation

Meredith Fry, Research Analyst, Kansas Legislative Research Department (KLRD), provided an overview on historical Committee recommendations and proposed legislation for the last five years, noting which items had action taken. ([Attachment 3](#))

Overview – 2016 SB 367 Juvenile Justice Reform and Consideration of Amendments by House Corrections Committee in 2021 HB 2200

Natalie Scott, Assistant Revisor of Statutes, Office of the Revisor of Statutes, provided an overview of 2016 SB 367 (reforms to the juvenile justice system) and an overview of 2021 HB 2200 (allowing evidence-based program account money to be used on certain children, requiring the Kansas Department of Corrections (KDOC) to build data systems, and allowing for overall case length limit extensions for certain juvenile offenders.) ([Attachment 4](#))

Vice-chairperson Owens provided additional information on the 2022 HB 2200 , including information on the committee hearing, testimony, and the working of the bill in the House Committee on Corrections and Juvenile Justice.

Overview - Court Services

Spence Koehn, Court Services Specialist, Kansas Supreme Court Office of Judicial Administration (OJA), provided an overview of Court Services. ([Attachment 5](#)) There are 31 judicial districts, 403 Court Services officers, and all are Judicial Branch employees. Statutory responsibilities for adults by Court Services include pretrial supervision, pre-sentence investigation reports (PSI), and risk and needs assessments, house arrest, supervision, and dispute resolution. Pre-sentence investigations are required for all adult felony convictions. Court Services currently supervises 8,267 adult misdemeanor cases and 2,876 adult felony cases.

A centralized case management system, Odyssey, is used by the Kansas state district courts. The system is in 100 counties and helps track adults that are being supervised. The remaining district courts will be incorporated by 2024.

Overview - Community Corrections

Shelly Williams, Director, Riley County Community Corrections, provided an overview of the statutory charges (KSA 75-2390 *et seq.*) and functions of Community Corrections in Kansas. ([Attachment 6](#)) Community supervision structure for adults in Kansas is made up of three types of supervision under different branches of government: Court Services, Community Corrections, and Parole.

Court Services is administered by the OJA. Court Services has state employees, and counties fund the operations and provide space. Court Services supervise misdemeanor probation, low and moderate risk felony probation assigned by the district court, and interstate compact misdemeanor probation.

Community Corrections is administered by county commissions with funding and oversight from KDOC. Community Corrections has county employees and is funded from state

grants. The counties do not statutorily have to provide space. Community Corrections supervise moderate and high risk felony probation and SB 123 assigned by the district court.

Parole is administered and funded by KDOC with state employees. Parole oversees parole, post-release supervision, and interstate compact felony probation.

Community supervision structure for juveniles in Kansas is composed of two types of supervision: Court Services and Community Corrections.

Court Services is administered by OJA with state employees funded by counties in county provided space. Court Services provide immediate intervention supervision along with supervision for misdemeanor probation, low-risk felony probation, and interstate compact misdemeanor probation. KDOC has community corrections or contracted agency, county, or contract employees, is state grant-funded, and includes juvenile intake and assessment services, immediate intervention supervision, and moderate and high-risk felony probation.

Randy Regehr, Director, Reno Community County Corrections, provided an overview of the Kansas Community Corrections Association. ([Attachment 7](#)) He presented the Association's FY 2022 request, the FY 2022 approved increase, the benefits and challenges of the increase, and the Association's FY 2024 requests.

Mr. Regehr addressed questions and concerns from the Committee on SB 123, funding that had to be returned to KDOC, and getting prepared for the 2023 Legislative Session.

FIRST AFTERNOON SESSION

Tour of Shawnee County Community Corrections Office
712 S. Kansas Avenue
Topeka, Kansas

Timothy Phelps, Deputy Director, Shawnee County Department of Corrections, provided a tour and gave an overview of the services provided at the Shawnee County Community Corrections office in downtown Topeka to the Committee. The office serves the 3rd Judicial District (Shawnee County) for adult intensive supervised probation (ISP) services, juvenile intensive supervised probation (ISP), as well as case management (CM). The office provides programming and supervision of adult and juvenile clients to help them succeed with probation and safely return to the community.

Stuart Little, on behalf of the Kansas Community Corrections Association, provided a response raised by the Committee on funding needed for public safety work. ([Attachment 8](#))

SECOND AFTERNOON SESSION

Tour of Shawnee County District Courthouse
200 S.E. 7th Street
Topeka, Kansas

The Committee attended a drug treatment court docket before the Honorable C. William Osman in the Division 9 courtroom in the Shawnee County District Courthouse. Committee members witnessed several community members in the program check in with the judge about the progress of their treatment. A successful graduate of the drug treatment court told the Committee about his journey through the program and how it turned his life around.

Brist McConico, Drug Court Administrator, Shawnee County District Court, provided information on the Shawnee County Drug Treatment Court. ([Attachment 9](#))

THIRD AFTERNOON SESSION

Room 112-N — Statehouse

Overview - Community Task Force to Review Youth Corrections Systems Standard in Sedgwick County

Russell Leads, Assistant County Manager, Sedgwick County, provided the recommendations of the Task Force to Review Youth Corrections Systems Standard in Sedgwick County, ([Attachment 10](#)) and Steven Stonehouse, Director, Sedgwick County Department of Corrections, provided an update on the steps the department took in response to recommendations made by the Task Force. ([Attachment 11](#)) The presenters shared the makeup of members on the Task Force, a timeline of the Task Force, and the 58 recommendations for systemic changes and improvements developed by the Task Force. Those recommendations include the areas of foster care, emergency communications, Wichita Police Department, and youth corrections. Mr. Stonehouse discussed the steps the Sedgwick County Department of Corrections took in response to the recommendations made by the Task Force. The presenters answered questions posed by the Committee.

Chairperson Baumgardner adjourned the meeting at 4:48 p.m.

TUESDAY, NOVEMBER 29 ALL DAY SESSION

Chairperson Baumgardner called the meeting to order at 9:00 a.m.

Overview - Criminal Record Expungements and Associated Costs

Jillian Block, Research Analyst, KLRD, provided an overview on expungement processes in Colorado, Kansas, Missouri, Nebraska, and Oklahoma, and the financial burden on the person seeking expungement. ([Attachment 12](#))

Ann Sagan, Advisory Committee Member on Criminal Law, Kansas Judicial Council, provided an overview of the Judicial Council's recommendations regarding prohibiting denial of expungement due to the petitioner's inability to pay outstanding costs, fees, and fines. ([Attachment 13](#)) Ms. Sagan stated Kansas Legal Services identified the primary reason that

individuals who apply for expungement are not eligible is due to fines that they owe. In general, she stated defense attorneys, the Judiciary, and others in the legal field agreed this is a problem that should be fixed. The Kansas Judicial Council recommended amending both the adult and juvenile expungement statutes to address this problem.

Ms. Sagan explained to the Committee that expungement is an important tool that increases access to jobs and housing and helps people get out of poverty and that increasing access to expungement can improve the lives of Kansans. The Kansas Judicial Council proposal takes steps towards eliminating the disparity in the current expungement system in Kansas between those who can pay fines, fees, and restitution and obtain an expungement and those who cannot because of poverty.

Leslie Moore, Director of Information Services, Kansas Bureau of Investigation (KBI), provided information on expungement, wrongful conviction, and the destruction of biological samples. ([Attachment 14](#)) Once a court grants a motion for expungement, a certified copy of the court-ordered expungement is sent to KBI, and upon receipt, KBI personnel will locate the individual's criminal history record. Information related to the criminal arrest, conviction, and/or supervision associated with the expungement will not be permanently removed from the criminal record, but rather will be sealed from public view within the record. The petitioner must complete a separate application to KBI for the removal of his or her DNA profile record from the state Combined DNA Index System (CODIS) and the destruction of any biological samples associated with the expungement.

When a court finds a claimant is entitled to a judgment, it will enter a certificate of innocence, finding the claimant innocent of all crimes for which he or she was mistakenly convicted. The court sends a certified copy of the judgment and a certificate of innocence to KBI, instructing the KBI to purge the conviction and arrest information from the Kansas Criminal Justice Information System Central Repository (Central Repository) and all applicable state and federal databases. Following the purge of the conviction and arrest information from the Central Repository and the destruction of the biological sample, notification of the action is provided to the court. Director Moore addressed questions from the Committee regarding statewide expungement days and why it is a separate process to get the DNA expunged.

Marilyn Harp, Executive Director, Kansas Legal Services, Inc., provided information about upcoming expungement days in Kansas communities.

Laura Nordgren, Staff Attorney, Kansas Judicial Council, provided comments and the "Report of the Judicial Council Criminal Law Advisory Committee on Automatic Expungement." ([Attachment 15](#))

Overview - Offender Registration

Ms. Scott, Office of the Revisor of Statutes, provided an overview on offender registration process in Kansas. ([Attachment 16](#)) Kansas has five types of offenders, which include sex offenders, violent offenders, drug offenders, people required to register under out-of-state laws, and people required to register for an offense otherwise not required by the act.

The Honorable Ben Sexton and Seth Wescott, Advisory Committee Members on Sex Offenses and Registration, Kansas Judicial Council, provided an overview on recommendations to reform the Kansas Offender Registration Act. ([Attachment 17](#)) Mr. Sexton stated that in 2020, the Judicial Council's Advisory Committee on Sex Offenses and Registration completed a two-

year comprehensive review of the Kansas criminal code's sex offense structure and related registration requirements for both juveniles and adults. Those recommendations include:

- Repealing sex offender registration requirements for juvenile offenders;
- Expanding the exit mechanism created in 2022 for drug offender to that it also applies to sex and violent offenders;
- Reducing penalties for registration violations;
- Requiring single point registration rather than multiple counties where offender lives, work, and attends school; and
- Creating a process for an offender to seek waiver of the \$20 registration fee.

The proposed reforms to Kansas Offender Registration Act (KORA) listed in the testimony would reduce some of KORA's most severe negative while preserving its role as a tool to enhance public safety. The Kansas Judicial Council and its Advisory Committee recommend legislation to be introduced to accomplish these reforms.

Mr. Sexton and Mr. Wescott addressed questions and concerns from the Committee regarding other states that don't register youth.

Brooklynn Graves, Manager for Offender Registration Unit, KBI, provided a PowerPoint presentation on Kansas Offender Registration ([Attachment 18](#)), showing an increase in registration for the last six years. Ms. Graves gave instructions on how to search the Kansas Offender Registry website.

Overview - Substance Abuse Treatment and SB 123 Program

Scott Schultz, Executive Director, Kansas Sentencing Commission, provided an overview on substance abuse and the SB 123 program. ([Attachment 19](#)) The mission statement for SB 123 is to ensure public safety while effectively addressing prison recidivism by providing community-based substance abuse treatment to targeted non-violent drug offenders. Director Schultz updated the committee on trends and expenditures, programs and certification, and upcoming changes and FY 2023 goals.

Director Schultz gave an update on the Recovery from Addiction Funded Treatment (RAFT) Diversion Program formed from 2021 HB 2026. Two offenders have been treated under the RAFT program as of the report.

Director Schultz said as of July 1, 2022, the Kansas Sentencing Commission assumed responsibility for treatment provider certification for the SB 123 program, and he provided the Committee with maps of SB 123 assessment providers, care providers, and residential care providers.

The Committee had a question on SB 123 distribution of offenders convicted of small drug sales. The Kansas Sentencing Commission responded with a map related to the number

and county location of SB 123 offenders with a drug distribution/sale conviction that were ordered into the program in FY 2021. (See [Attachment 19](#))

Presentation - Workforce Training Panel

A workforce training panel consisting of Lee Jost, Randy Reinhardt, Jason Miles, Jermaine Wilson, and Margie Phelps spoke to the Committee about their individual roles in getting formerly incarcerated citizens to return to the workforce.

Lee Jost, Executive Director, NCircle, founded the non-profit to assist people in reentry with developing “soft skills,” including showing up for work on time and being ready to work. ([Attachment 20](#))

Randy Reinhardt, Chief Executive Officer, Zephyr Products, Inc., has businesses in Leavenworth and Miami counties. Mr. Reinhardt told about Zephyr Products and their partnership with KDOC. Today, Zephyr Products has over 125 employees, 85 of whom are residents of the Lansing Correctional Facility. They hire based on attitude and train to develop the necessary skills that the company needs.

Jason Miles, Director of Welding, Zephyr Products, explained that he learned welding while incarcerated and has become a certified welding inspector with the American Welding Society. He shared his experience having his criminal record expunged.

Jermaine Wilson, Mayor *Pro Tem*, City of Leavenworth, stated he is also the regional director of a prison fellowship. Mayor Wilson stated he is a restored citizen and told his story about being incarcerated as a young man. Now he provides transformational programming through prison fellowship initiatives.

Margie Phelps, Executive Director of Programs and Risk Reduction, KDOC, stated that education and employment programs and services increase the likelihood of offenders achieving a sustained livable wage employment, which significantly reduces recidivism. ([Attachment 21](#))

The panel addressed questions and concerns from the Committee.

Discussion - Committee Statutory Duties and Obligations

The Committee discussed the following:

- A possible post audit request to examine implementation of the “Stand Your Ground” laws, particularly as it relates to incidents involving law enforcement;
- Adoption of the recommendation to allow employees to be included in the Kansas Public Employees Retirement System Corrections Plan, with first priority given to juvenile correctional officers;
- Recommendation for refiling and support of 2022 HB 2575, which would require certain records to be automatically expunged from a person’s criminal record; and

- Recommendation for a hearing on 2022 HB 2226, which would require certain criminal convictions to be expunged from an offender’s record automatically.

Chairperson Baumgardner adjourned the meeting at 4:27 p.m.

WEDNESDAY, NOVEMBER 30 ALL DAY SESSION

Chairperson Baumgardner opened the meeting at 9:03 a.m. and welcomed the members in person and on Webex. Chairperson Baumgardner stated that there is a quorum and started the meeting.

Update from KBI

Brooklynn Graves, Manager for Offender Registration Unit, KBI, provided updated information on how many people were added to the violent offender registry since 2017.

Overview - Kansas Department Of Corrections

Jeff Zmuda, Secretary of Corrections, provided the Committee with an overview of KDOC and issues that are impacting the agency. ([Attachment 22](#)) The key subjects include workforce retention and initiatives, budget enhancements and capital improvements, federal COVID-19 funds received, juvenile and adult updates, and legislative initiatives.

Workforce Retention and Initiatives

The Secretary described current KDOC staffing issues, including offering hiring and retention bonuses. KDOC has tried new recruiting efforts and streamlined the application process to reduce time from application to hire. The Secretary noted that staffing in correctional settings is a national challenge not unique to Kansas. The Secretary stated the Colorado and Nebraska departments of corrections have implemented new hire and retention bonuses along with increased hourly pay to reduce vacancies.

KDOC implemented base pay increases for adult and juvenile correctional officers that work in 24/7 facilities. For newly hired correctional officers, base pay increases occur at 3, 9, and 12 months with the agency. Previously hired correctional officers, parole officers, and unit team members received a one-time base pay increase.

The Secretary addressed four temporary pay differentials that hourly employees working at 24/7 facilities were eligible for, from \$1.50 to \$4.50 of pay per hour. Salaried employees working in a 24/7 facility were eligible for a onetime meritorious bonus of up to \$3,500. For FY 2023, \$33.9 million was appropriated to cover the 24/7 facility pay plan expenditures. KDOC representatives gave an update on recruiting efforts, their application process, and increasing focus on employee wellness.

Budget Enhancements and Capital Improvements

The Secretary gave an overview of requested budget enhancements, including fully funding existing contract costs, replacement of equipment and vehicles, investments in workforce and programs, and indexing the Correctional Institution Building Fund appropriation to inflation.

The Secretary listed capital improvement projects for FY 2024 and FY 2025:

- Lansing Correctional Facility - Demolish old units and provide Career Campus seed money;
- Topeka Correctional Facility - Construct new behavioral health/medical/support building, construct new laundry, and construct work release center for women;
- Hutchinson Correctional Facility - Construct new minimum security unit, and construct new facility to replace the current Hutchinson facility;
- Kansas Juvenile Correctional Facility - Construct vocational building;
- Statewide staff development center; and
- Douglas County/northeast Kansas - Construct work release center for men.

Federal COVID-19 Funds Received by KDOC

The Secretary provided an overview of the COVID-19 federal funds appropriated to KDOC from three sources: Coronavirus Relief Funds, Coronavirus Emergency Supplemental Fund, and American Rescue Plan Act moneys. The total amount for all sources was \$57,621,821.

Juvenile and Adult Update

The Secretary described updates to both the juvenile correctional system and the adult correctional system. He said in this labor economy, KDOC is focused on both staffed and physical capacity of facilities. The Secretary noted there are increased postsecondary education opportunities through the Second Chance Pell program, and KDOC now has Pell-eligible college programming in all correctional facilities.

The Secretary said KDOC has moved forward with public-private partnerships authorized by 2021 HB 2401 [KSA 75-52,167 *et seq.*]. KDOC has created an approved 501(c) (e) nonprofit entity, and there is a contract with a consultant to perform a pre-fundraising campaign study to identify the feasibility of raising funds for the Lansing Career Campus. The Secretary discussed the impact of a sustained livable wage job to providing stability for returning citizens.

The Secretary said 2022 SB 267 included \$6.7 million, all from the American Rescue Plan Act funds, for new technical education equipment for Wi-Fi network and tablets,

commercial driver's license simulators, and virtual welders. The Secretary said demolition of Honor Camps is moving forward, the remodeling project for the dorms for the geriatric/cognitive care unit at the Winfield Correctional Facility will be completed in December, remodeling of the Winfield Correctional Facility dining hall and kitchen is delayed due to sourcing of supplies, and remodeling on the substance abuse treatment and work release unit at the Lansing Correctional Facility is ongoing. He gave an update on the Athena data system implementation and Evidence-based Program Fund.

- Legislative Initiatives

The Secretary said KDOC would like to work on the following during the 2023 Legislative Session:

- Change the name of the Larned Correctional Mental Health Facility;
- Provide authority for state agencies to pay employee bonuses for recruiting and retention; and

Conduct equipment and facility condition assessments at nine institutions within KDOC. ([Attachment 22a](#))

Overview - Report on KDOC Facility Study

Brooke Martin and Bruce Omtvedt, architects with Dewberry Architects, presented to the Committee the Juvenile Facility Study. ([Attachment 23](#)) The threefold scope of the study included:

- Scope 1 - Establish three or more smaller, new regional juvenile facilities;
- Scope 2 - Review the re-purposing of the existing Kansas Juvenile Correctional Complex for Adults; and
- Scope 3 - Study the re-purposing of the existing Kansas Juvenile Correctional Complex enhancements for youth.

Letter to Thomas Day, Director, Legislative Administrative Services, for distributing the report to the appropriate members of the Legislature. ([Attachment 23a](#))

KDOC; Juvenile Facilities Study ([Attachment 23b](#)) Scope 1, Scope 2, and Scope 3. ([Attachment 23c](#))

The Secretary of Corrections addressed questions from the Committee, including that national trends are moving towards smaller unit prisons, but that building more facilities is costly and staffing of those facilities could prove difficult.

Presentation - Arista Recovery

Robert Olivarez, Vice President of Operations, Arista Recovery, provided the Committee a presentation on Arista Recovery, a for-profit mental health and substance abuse treatment facility. ([Attachment 24](#))

Overview - Juvenile Crisis Intervention Centers

Robert Sullivan, Director of Corrections, Johnson County Department of Corrections, provided background on the 2018 House Sub. for SB 179, which created and amended law to establish juvenile crisis intervention centers (JCICs). ([Attachment 25](#)) The Director described a facility in Johnson County that could serve as a JCIC if there were sustainable state funding and support from the Johnson County Board of County Commissioners. The historical background of the Department of Children and Families (DCF) and the Kansas Department for Aging and Disability Services (KDADS), and the requirements to fulfill the provisions of 2018 House Sub. for SB 179 were discussed by several agency and organization representatives:

- Randy Bowman, Executive Director of Public Affairs, KDOC, \$2.0 million was in the KDOC the budget for \$2.0 million, and that KDOC's role is simply the bank account. The standards, the policies, and all the pre-processes would be done by those social service agencies;
- Ed Klumpp, representing law enforcement, stated that he only knew about the adult crisis intervention centers; and
- Ellen Hawks, Director of the Juvenile Service Center in Johnson County, which encompasses both the detention building and the brick and mortar building, provided a history of the building.

The Committee asked the Secretary of Corrections to work with the Secretary for Children and Seniors and KDADS to get this started, and that Mr Bowman would keep the Committee updated on the progress.

KDADS was asked to appear before the Committee and provided written-only testimony in conjunction with DCF. ([Attachment 26](#))

Presentation - Justice Reinvestment Initiative in Kansas

Jennifer Kisela, Deputy Program Director, State Initiatives, Council of State Governments (CSG), provided an update on the Justice Reinvestment Initiative (JRI) in Kansas. ([Attachment 27](#)) The JRI process helped identify three key challenges in Kansas:

- Increases in sentences to prison for drug offenses;
- Use of prison to sanction people who violate supervision conditions; and
- Barriers to work and limited behavioral health and reentry supports.

As a result, the Kansas Criminal Justice Reform Commission made numerous administrative and legislative recommendations in 2020 and 2021 on a broad range of topics. The JRI recommendations were aimed at achieving goals in four policy areas: diversion and specialty courts, community supervision, behavioral health, and re-entry. Ms. Kisela made policy recommendations for the Committee to take up during the upcoming legislative session.

Overview - Juvenile Fines and Fees

Noah Bein, State Policy Manager, Justice Action Network, provided an overview to the Committee on eliminating juvenile fines and fees. ([Attachment 28](#)) Mr. Bein stated research shows that financial obligations imposed on youth in the justice system can increase recidivism.

Mike Fonkert, Campaign Director, Kansas Appleseed, provided information to the Committee on the elimination of fines and fees. ([Attachment 29](#)) The Director stated fines and fees drive inequity, children from low-income households face longer court cases, and other harms well into adulthood.

Committee Business

Approval of Committee minutes for April 27, 2022, Committee meeting.

Representative Carlin moved to approve the April 27, 2022, minutes as written. Senator Faust-Goudeau seconded the motion. The motion carried.

Committee Discussion and Recommendations

Recommendations:

The Committee recommends allowing all KDOC employees to be included in the Kansas Public Employees Retirement System Corrections Plan.

The Committee recommends the Legislature consider eliminating fines and fees for justice-involved youth to include expungement fees set by each county.

The Committee requests the Chairperson, on behalf of the Committee, request the Kansas Judicial Council to review the “Stand Your Ground” laws.

The Committee recommends that KDOC, KDADS, and Kansas Department of Health and Environment distribute information to first responders about the risk of putting an individual who is known to have COVID-19 in a prone position.

The Committee requests the Kansas Judicial Council reintroduce 2022 HB 2581 concerning offender registration, revised as appropriate.

The Committee requests the Secretary for Children and Families to report on the progress of the juvenile crisis intervention center law [KSA 65-536] to the House Committee on Appropriations, Senate Committee on Ways and Means, House Committee on Corrections and

Juvenile Justice, Senate Committee on Judiciary, and both health committees by February 1, 2023.

The Committee requests KDOC use salary funds for community corrections staffing instead of salary increases for FY 2023.

The Committee supports the refilling of 2022 HB 2575 regarding criminal record expungements.

Proposed Legislation:

The Committee requests the filing of a bill similar to 2022 HB 2471 and SB 321 that would prohibit the physical restraint of juveniles in court appearances unless deemed appropriate by the court.

The Committee requests the filing of a bundled bill that would name the Committee in honor of Representative J. Russell (Russ) Jennings, amend current KSA 46-2801(k)(2) to require the Committee to monitor the implementation of juvenile justice reform and the work of the juvenile justice oversight committee, and delete current KSA 46-2801(k)(5) concerning the defunct Juvenile Justice Authority.

The Committee requests the refilling of a bill similar to 2022 HB 2556 concerning expungement and to also include amending the timing of the waiting period to start at the date of conviction or adjudication for both adults and juveniles.

The Committee requests the filing of a bundled bill named the Representative Gail Finney Foster Care Bill of Rights, including provisions similar to 2022 HB 2468 (foster youth bill of rights) and 2022 HB 2469 (foster parents bill of rights).

Chairperson Baumgardner thanked KLRD staff who have been working on this meeting all fall and the Chairperson thanked all of the staff for their hard work.

The meeting was adjourned at 6:55 p.m.

Prepared by Connie Burns

Edited by Meredith Fry

Approved by the Committee on:

April 26, 2023

(Date)