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House Corrections and Juvenile Justice

Neutral Testimony on House Bill 2741
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Chairperson Owens and committee members, thank you for allowing me to provide neutral testimony regarding HB 2741. My name is Spence Koehn, and I am the Court Services Specialist for the Office of Judicial Administration (OJA).

I am very briefly going to provide some background information on how these conditions of probation were developed.

During the work of the Kansas Criminal Justice Reform Commission in 2020, the Commission recognized the need for standard conditions of probation for supervision in Kansas, and in 2021 a subcommittee was established and charged partly with creating standardized terms and conditions for community supervision. The subcommittee was made up of representatives from Community Corrections, Court Services, the Kansas Department of Corrections, the Office of Judicial Administration, a member of the Kansas Sentencing Commission, a county attorney, a district court judge, as well as Chairman Owens. The conditions of supervision listed in this bill are a product from that subcommittee.

Through its work, the subcommittee identified 66 different conditions of probation imposed by Court Services, Community Corrections, and KDOC in Kansas, with no standard form used statewide for these conditions. With assistance from the Council of State Governments, the work group came up with the proposed conditions of supervision.

OJA does not take a position on the policy implications of this bill. We would however propose one change. For clarity, we would request subsection (n) on page 17 regarding OJA collaborating to develop documentation for Parole and Post-Release conditions be struck. Parole and post-release conditions are a specific function of the Executive Branch, and the judicial branch does not hold jurisdiction over this area. We do welcome the opportunity though to collaborate with KDOC to develop documentation related to conditions of supervision for probation cases, as specified on page 4 of the bill.

Thank you for the opportunity to offer this testimony and I will stand for any questions.