

Approved: 1-23-96
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Chairperson Tim Emert at 10:00 a.m. on January 16, 1996 in Room 514-S of the Capitol.

All members were present except: Senator Martin
Senator Moran

Committee staff present: Michael Heim, Legislative Research Department
Jerry Donaldson, Legislative Research Department
Gordon Self, Revisor of Statutes
Janice Brasher, Committee Secretary

Conferees appearing before the committee: Barbara Tombs, Director, Kansas Sentencing Commission
Kathy Taylor, Kansas Bankers Association

Others attending: See attached list

The Chair called the meeting to order at 10:10 a.m.

A motion was made by Senator Bond, second by Senator Feliciano to approve the Committee minutes for January 10, 1996. Motion carried.

Bill Introductions:

Senator Brady requested that a bill be introduced that would lower the age to sixteen requiring a judge's approval for a marriage license as long as there is parental consent.

The motion by Senator Brady, and second by Senator Bond was that the judge does not need to approve a marriage license for those sixteen to eighteen years old as long as there is parental consent. Motion carried.

Senator Harris requested a bill be introduced that would amend **SB 110** to exempt commercial transactions from under the scope of that legislation.

A motion was made by Senator Harris, and seconded by Senator Vancrum to amend **SB 110** by exempting certain defined commercial transactions from the scope of that legislation. The motion carried.

Kathy Taylor, Kansas Bankers Association, requested that a bill be introduced which would place a statute limitation on the liability of an officer or director of a corporation or association. The conferee cited a recent Kansas case involving the directors of a failed savings and loan company and the ability of federal financial institution regulators to hold such people hostage indefinitely over the decisions the directors had made. (Attachment I)

A motion was made by Senator Parkinson, second by Senator Reynolds to introduce a bill that would amend the statute of limitation for corporation or association officers and directors in K.S.A. 60-513 as requested by the Kansas Bankers Association. The motion carried.

SB 378--Kansas Sentencing Commission reduction in the number of members

The Chair referred to staff for a description of **SB 378**. The revisor explained that the bill deletes certain members from the Kansas Sentencing Commission.

Barbara Tombs, Director of the Kansas Sentencing Commission related that the Commission's recommendation was to keep the parole board and general public as members and add a victim's advocate to the Commission. The conferee stated that the Governor had made appointments two weeks ago.

In response to Committee discussion concerning the need for all those members on the Commission, Ms Tombs stated that it is beneficial to have representatives from all areas of the system to provide input.

The need for legislative representation was discussed by the Committee members.

Motion was made by Senator Reynolds, second by Senator Vancrum to remove the four non-voting legislative members and replace them with members from the general public

The Committee discussed the role of legislators on the Commission, and clarification of the motion. Issues of

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY, Room 514-S Statehouse, at 10:00 a.m. on January 16, 1996.

concern regarding having no legislative representation were considered by the Committee.

A substitute motion was made by Senator Rock, seconded by Senator Brady to amend the bill to remove the legislative members on the Commission. Motion carried seven to three.

Motion by Senator Rock, second by Senator Brady was made to move SB 378 favorably as amended. The motion carried.

Barbara Tombs, Director of the Kansas Sentencing Commission addressed the Committee to discuss the material requested by Interim Committee concerning the impact drug grid sentences would have on prison bedspace. (Attachment 2) Ms Tombs referred to additional requested material containing a summary of the estimated impact of drug levels III and IV reduced to sentence levels VII and VIII (non-drug grid) on future Department of Corrections (DOC) bedspace needs. (Attachment 3) Ms Tombs discussed and referred to material showing the impact conformity to the sentencing guidelines for new law sentences for drug offenses (by severity level) would have to prison bedspace. (Attachment 4) The conferee distributed information concerning alternative bedspace projections to proposed legislation. (Attachment 5)

Ms Tombs continued by stating that during interim committee meetings, there was a lot of attention given to the drug grid as well as to the number of people incarcerated on the levels III and IV of the drug grid. The issue of putting border boxes on the drug grid was considered by the Sentencing Commission and the interim committee. Ms Tombs discussed the four scenarios using the combination of border boxes as outlined in the written material. Ms Tombs stated that the assumption was made that 75 percent of the people who fell into the border boxes would be put in some kind of diversion, and the remaining 25 percent would be incarcerated. Depending on which combination of border boxes to be implemented from now to the year 2005, there would be a bed savings of between 227 to 489 beds. However, the conferee noted that a major problem in determining the number of prisoners comprising levels III and IV are the number of technical violators. The conferee stated that there needs to be more programs if divisions increase, otherwise many of those placed on diversion could be sent to prison on a technical violation.

Ms Tombs stated that another analysis requested during the summer session was to take sentences on the non-drug grid levels VII and VIII and transpose them into sentences on drug levels III and IV. Ms Tombs discussed the impact of reducing the sentences on drug grid III and IV to the sentences on the non-drug grid VII and VIII. The conferee stated that there would be a projected savings in bed space in 2005 of just over 300 beds. Ms Tombs related that this amount was lower than anticipated. After reviewing the data, the conferee noted that all of the drug departures are occurring on levels III and IV of the drug grid. The reason for lower than anticipated savings in bed space is because judges are already departing downward in the drug cases.

Ms Tombs discussed the status of the drug cases at each severity level in conformity to the sentencing guidelines. The conferee discussed the number of departures according to gender. It was noted that at Level IV, 13 percent of the departures for female and 7.7 percent of the departures for males were upward.

In response to Committee questions, Ms Tombs stated that at Level IV females seem to be penalized at a higher percent than males. However, it was noted in Committee discussion that in overall numbers there are more males charged. Ms Tombs stated that the drug offense has to be the most serious conviction against the defendant.

Senator Parkinson requested that Ms Tombs provide a projection of the number of drug offenders placed on probation who violate conditions of their probation and are incarcerated by using the percentage of parole violators as an assumption since currently, accurate data on probation violators is not available. This information is necessary to estimate the number of bedspace saved by lowering the penalties for levels III and IV on the drug grid.

In response to Senator Parkinson's request, Ms Tombs stated that projections on the number of probation violators incarcerated will be provided using the percentage of parole violators.

In response to Senator Petty's question regarding the impact graduated sanctions would have on probation violators, Ms Tombs stated that it is estimated that the number of probation violators incarcerated would be reduced by 25 percent. Ms Tombs stated that with the graduated sanctions, the number of revocations could be determined.

In response to the Chair's question, Ms Tombs stated that the Commission has looked at the disparity in penalties between the drug grid and the non-drug grid. Ms Tombs concluded that the data supporting the 38 percent downward departures warrants review.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY, Room 514-S Statehouse, at 10:00 a.m.
on January 16, 1996.

The Chair adjourned the meeting.

The next meeting is scheduled for January 17, 1996.

SENATE JUDICIARY COMMITTEE GUEST LIST

DATE: 1-16-96

NAME	REPRESENTING
Doug IRVIN	OIA
Sue Jones	KSC
Julie Meyer	KSC
Penny Sue Johnson	The Ks Coalition, Inc.
Paul Shelby	OIA
Nancy Rendoff	Visitor to Sen. Rock
Jan Johnson	KDOC
Sue Bond	
Andrew Rendoff	Page
Matt Herndon	Page
Nathanael Somers	Page
Anne Spiess	Peterson Public Affairs Group
David R. Miller	D.V. of the Budget!
Ken Smith	KBA
Jain Clere	KCOA
Chuck Stones	KBA
Kathy Taylor	"

4 B
Section 1. K.S.A. 60-513 is hereby amended to read as follows: 60-513.

(a) The following actions shall be brought within two years:

(1) An action for trespass upon real property...

(4) An action for injury to the rights of another, not arising on contract, and not herein enumerated...

(b) Except as provided in ~~subsection~~ subsections (c) and (d), the causes of action listed in subsection (a)...

(c) A cause of action arising out of the rendering of or the failure to render professional services....

(d) A cause of action by a corporation or association against an officer or director of the corporation or association shall be deemed to have accrued at the time of the occurrence of the act giving rise to the cause of action unless the fact of injury is not reasonably ascertainable until some time after the initial act, then the period of limitation shall not commence until the fact of injury becomes reasonably ascertainable to the injured party, but in no event shall such an action be commenced more than four years beyond the time of the act giving rise to the cause of action.

~~(d)~~ (e) The provisions of this section as it was constituted prior to July 1, ~~1987~~ 1996, shall continue in force and effect for a period of two years from that date with respect to any act giving rise to a cause of action occurring prior to that date.

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Sec. 2. K.S.A. 60-513 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Doc. 93386

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Kansas Department of Corrections
Bedspace Impact Assessment
Drug Grid Diversions

SCOPE

This document contains a summary of the estimated impact of certain drug grid diversions on future Department of Corrections (DOC) bedspace needs. This impact was completed by the National Council on Crime and Delinquency (NCCD) and is based on information supplied to NCCD by state planners.

BACKGROUND

According to information supplied to NCCD, the proposed drug grid diversions would divert 75 percent of admitted level 3 drug crimes with a H, I, G, F or E conviction from prison to probation. In addition, 75 percent of all admitted level 4 drug crimes with E or F convictions would also be diverted from prison to probation.

KEY ASSUMPTIONS

- Projected admissions to prison are assumed to increase by an average of 2.9 percent in each future year. Bedspace impacts are in relation to the baseline forecast produced in November 1995, by NCCD.
- The proportion of offenders admitted to prison each year in the "target groups" (groups identified to be diverted to probation) are assumed to remain constant in each future year.
- In conducting the assessments, number of admissions and sentences received by inmates admitted to DOC facilities are assumed to be the same as those recorded for 1,775 new commitments admitted under sentencing guideline policies in FY 1995.
- Percentages of imposed inmate sentences served in prison are assumed to be 85 percent, less estimated good time lost and jail credits under existing policies.
- Diversions are assumed to begin in July 1996.

FINDINGS

- There are four major target offender populations in this proposal -- inmates admitted to DOC for drug crimes in level 3 with H or I convictions; inmates admitted to DOC for drug crimes in level 3 with G convictions;

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inmates admitted to DOC for drug crimes in level 3 with F or E convictions; and inmates admitted to DOC for drug crimes with F or E convictions.

- In FY 1995, there were 250 new court commitments and violators returned to prison in drug level 3 with H or I convictions; 107 drug level 3 with G convictions; 59 drug level 3 with E or F convictions; and 47 drug level 4 with E or F convictions.
- 75 percent of total admissions within each target group are assumed to be diverted from prison to probation.
- The attached table displays a summary of estimated bedspace savings associated with the proposed drug grid diversions.
- If 75 percent of inmates admitted in the specified levels and cells are diverted to probation, a total of 444 beds will be saved by the end of the decade if all parts of the proposal are implemented in July 1996. By June of 2005, just over 489 beds will be saved.

KANSAS SENTENCING COMMISSION
 PRISON BEDSPACE IMPACT ASSESSMENT: BEDS SAVED
 DRUG GRID DIVERSIONS*
 1997-2005

June of Each Year	Scenario #1	Scenario #2	Scenario #3	Scenario #4
1997	102	157	184	204
1998	171	269	329	367
1999	191	277	359	403
2000	207	317	405	444
2001	204	320	410	448
2002	211	322	416	463
2003	212	325	425	471
2004	225	325	426	470
2005	227	339	442	489

Source: National Council on Crime and Delinquency

- * Scenario #1 -- Diverts drug level 3: H and I convictions.
- Scenario #2 -- Diverts drug level 3: H, I, and G convictions.
- Scenario #3 -- Diverts drug level 3: H, I, G, F, and E convictions.
- Scenario #4 -- Diverts drug level 3: H, I, G, F, and E convictions;
and drug level 4: E and F convictions.

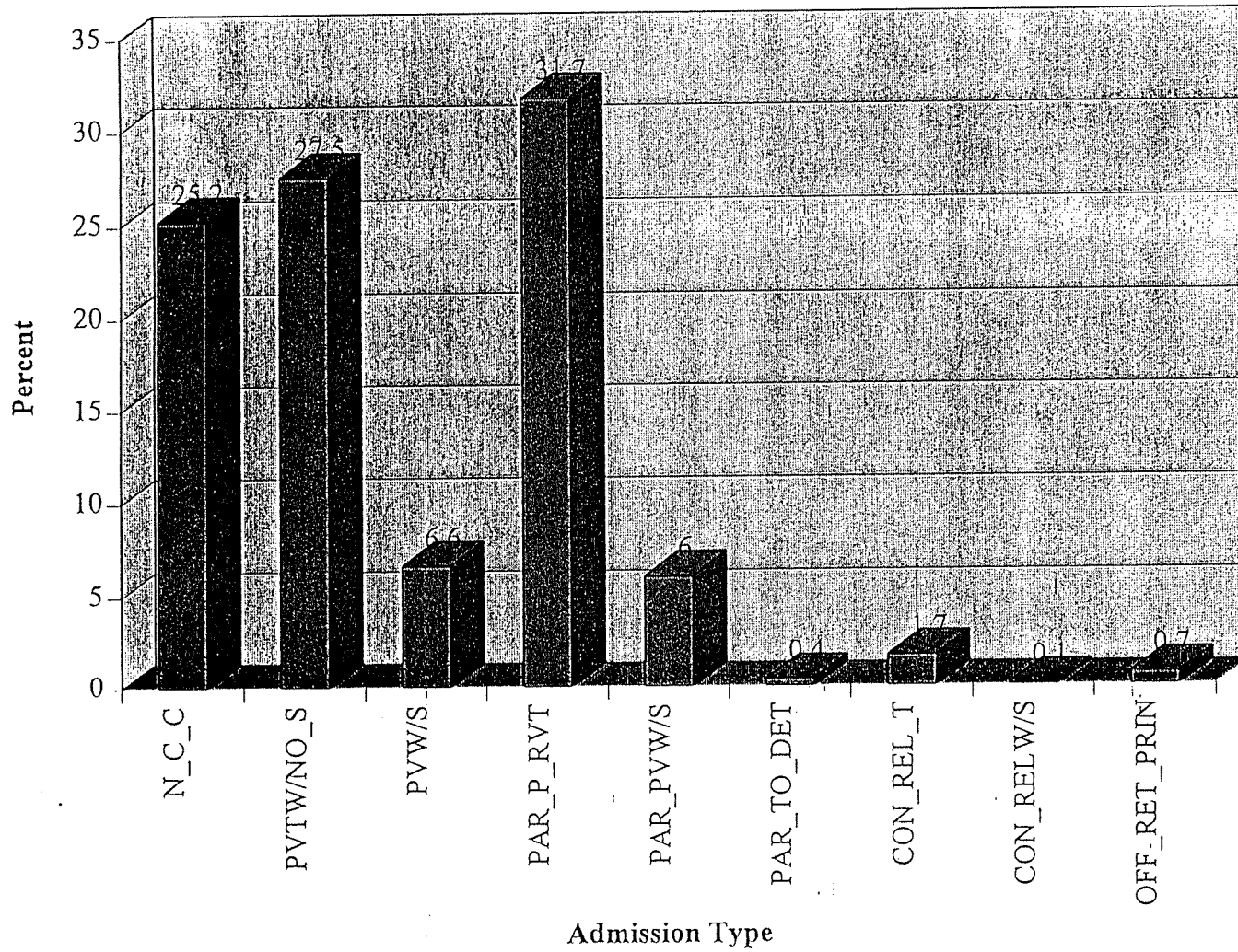
Note: Bed savings based on assumed diversion of 75 percent of prison admissions falling in the target drug grid levels and cells.

Table 18: Distribution of 1995 Drug Offenders by Admission Type and Severity Level

Type	Severity Level				Total	Percent
	D1	D2	D3	D4		
New Court Commitment	2	33	229	89	353	30.30
Probation Violators Technical Without New Sentences	1	3	223	71	298	25.58
Probation Violators With New Sentences	2	10	38	13	63	5.41
Inmate Receive on Interstate Compact	0	0	2	0	2	0.17
Presentence Evaluation	0	0	0	0	0	0.00
Parole/Postrelease Violators Technical	0	2	335	17	354	30.39
Parole/Postrelease Violators With New Sentences	0	4	26	30	60	5.15
Paroled to Detainer	0	1	0	2	3	0.26
Conditional Release Technical	0	0	17	1	18	1.55
Conditional Release with New Sentences	0	1	1	1	3	0.26
Offenders Returned to Prison	0	0	10	1	11	0.94
Total	5	54	881	225	1165	100.00

Note: This table is based on 1,165 drug offenders reporting admission type.

Distribution of 1995 Drug-Opiates or Narcotics Offenders by Admission Type



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**Kansas Sentencing Commission
Bedspace Impact Assessment
Drug grid Levels III and IV Reduced to Sentence Lengths of
Nondrug Grid Levels VII and VIII**

SCOPE

This document contains a summary of the estimated impact of drug level III and IV reduced to sentence levels VII and VIII on future Department of Corrections (DOC) bedspace needs. This impact was completed by the National Council on Crime and Delinquency (NCCD) and is based on information supplied to NCCD by state planners.

BACKGROUND

According to information supplied to NCCD, the proposed drug level sentence reductions would reduce sentence lengths of drug level III and level IV cases to nondrug grid level VII and level VIII ranges.

KEY ASSUMPTIONS

- * Projected admissions to prison are assumed to increase by an average of 2.9 percent in each future year. Bedspace impacts are in relation to the baseline forecast produced in November 1995, by NCCD.
- * The proportion of offenders admitted to prison each year in the "target groups" (groups identified to have their sentences reduced) are assumed to remain constant in each future year.
- * In conducting the assessments, number of admissions and sentences received by inmates admitted to DOC facilities are assumed to be the same as those recorded for 1,775 new commitments admitted under sentencing guideline policies in FY 1995.
- * Percentages of imposed inmate sentences served in prison are assumed to be 85 percent, less estimated good time lost and jail credits under existing policies.
- * Impact assessments are assumed implementation in July 1996.

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FINDINGS

- * In FY 1995, there were 683 new court commitments and violators returned to prison with the most serious new offenses in drug level III or level IV; 508 drug level III admissions and 175 drug level IV admissions.
- * Admissions within each target group are assumed to have reduced sentences under the proposed legislation.
- * The attached table displays a summary of estimated bedspace savings associated with the proposed drug grid sentence reductions.
- * If all of the inmates admitted in the specified levels and cells have the reduced sentence lengths set forth in the proposal, a total of 246 beds will be saved by the end of the decade. By June of 2005, just over 300 beds will be saved.

**KANSAS SENTENCING COMMISSION
BEDSPACE IMPACT ASSESSMENT
DRUG LEVELS III AND IV REDUCED TO NONDRUG GRID LEVELS VII AND VIII**

June of Each Year	Drug Level III Savings	Drug Level IV Savings	Total Bed Savings
1997	42	9	51
1998	114	40	154
1999	168	48	216
2000	188	58	246
2001	213	74	287
2002	204	88	292
2003	241	82	323
2004	235	84	319
2005	215	88	303

**Conformity to the Sentencing Guidelines for New Law Sentences Only
Drug Offenses by Severity Level**

Severity Level	Number of Cases	<u>WITHIN THE GUIDELINES(%)</u>			<u>DEPARTURE(%)</u>	
		Aggravated	Standard	Mitigated	Above	Below
Level I	3			0.4	0.8	
Level II	20		3.3	1.2		3.7
Level III	108	3.7	13.9	7.3	5.7	13.7
Level IV	114	2.4	23.7	5.3	4.1	11.0
Total	245	6.1	40.8	14.3	10.6	28.2

Note: Based on 245 new law drug sentences in FY 1995.

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**Conformity to the Sentencing Guidelines for New Law Sentences Only
Drug Offenses**

Severity Level & Category	<u>WITHIN THE GUIDELINES</u>			<u>DEPARTURE</u>	
	Aggravated	Standard	Mitigated	Above	Below
Level I					
E	0	0	1	1	0
F	0	0	0	1	0
Level II					
A	0	1	0	0	0
C	0	3	1	0	2
D	0	0	0	0	1
E	0	2	0	0	0
F	0	0	0	0	3
G	0	1	0	0	0
H	0	1	0	0	1
I	0	0	2	0	2
Level III					
A	0	0	1	0	4
B	0	1	0	1	1
C	1	3	2	2	5
D	1	1	1	0	3
E	0	2	1	0	5
F	0	3	2	1	0
G	3	6	2	0	6
H	1	4	2	0	5
I	3	13	7	10	4
Level IV					
A	0	2	0	0	3
B	0	2	0	0	4
C	1	8	2	0	4
D	0	3	2	0	4
E	0	9	5	1	5
F	0	0	2	0	7
G	1	8	0	3	0
H	3	9	0	3	0
I	1	13	2	3	0
Total	15	95	35	26	69

Note: Based on 240 new law drug sentences FY 1995.

Comparison of Months of Sentences of Drug Levels III and IV
to the Sentencing Guidelines with Their Means

Level & Category	Number Of Cases	Months of Sentences			Guideline Grids
		Min	Mean	Max	Middle Point
Drug 3					49
A	6	20	41.83	74	44
B	3	31	54.67	77	40
C	14	31	45.43	81	34
D	13	17	29.46	40	30
E	9	18	29.22	63	24
F	11	17	23.36	31	22
G	31	12	19.74	24	18
H	23	11	18.17	50	15
I	62	8	15.27	45	
Drug 4					40
A	9	16	36.44	51	34
B	8	16	27.88	43	30
C	19	15	32.47	60	24
D	13	10	21.69	46	20
E	21	12	18.95	30	17
F	20	10	16.85	33	15
G	14	0	14.36	24	13
H	20	0	16.25	71	11
I	28	0	11.18	24	

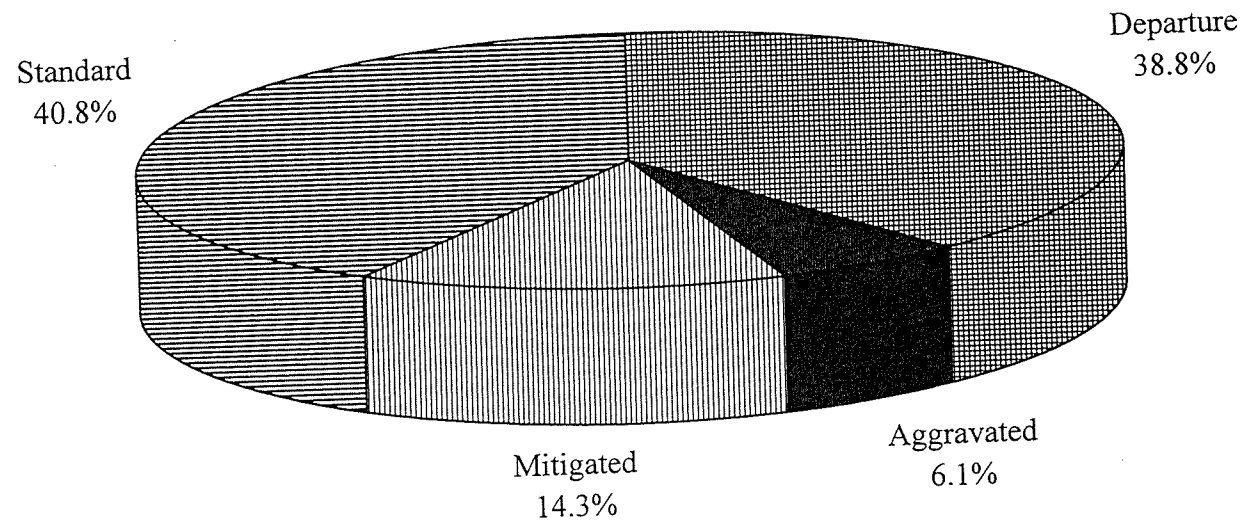
- Note:
1. Based on the information provided by NCCD.
 2. During the FY 1995, there are 324 new court commitment offenders and violators returned to prison.
 3. These 324 new court commitment offenders and violators are the basic information in the bed saving impact assessment.

**Conformity to the Sentencing Guidelines for New Law Sentences Only
Drug Offenses by Severity Level and Gender**

Severity Level and Gender	Number of Cases	<u>WITHIN THE GUIDELINES(%)</u>			<u>DEPARTURE(%)</u>	
		Aggravated	Standard	Mitigated	Above	Below
Level I						
Female	2				100.0	
Male	1			100.0		
Level II						
Female	6		33.3	16.7		50.0
Male	14		42.9	14.3		42.9
Level III						
Female	11	9.1	36.4	27.3		27.3
Male	97	8.2	30.9	15.5	14.4	30.9
Level IV						
Female	23	8.7	52.2	4.3	13.0	21.7
Male	91	4.4	50.5	13.2	7.7	4.4

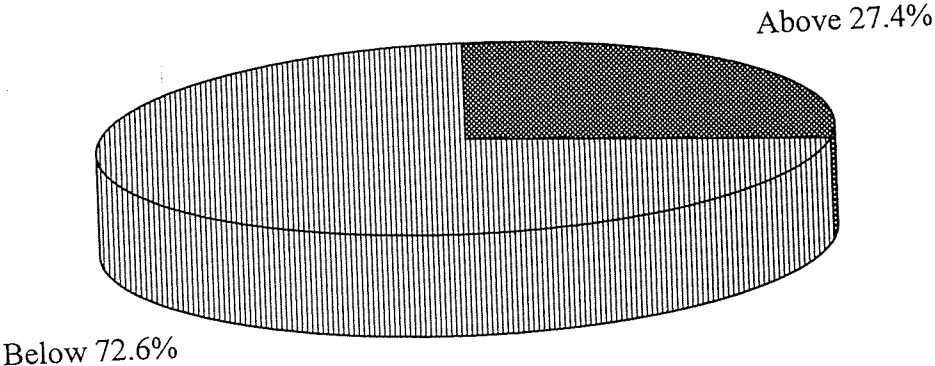
Note: Based on 245 new law drug sentences in FY 1995. The percentage of male and female in each severity level is calculated by 100 %, respectively.

1995 New Law Sentence Conformity to the Sentencing Guidelines Drug Offenders Only



Based on 245 new law drug sentences FY 1995

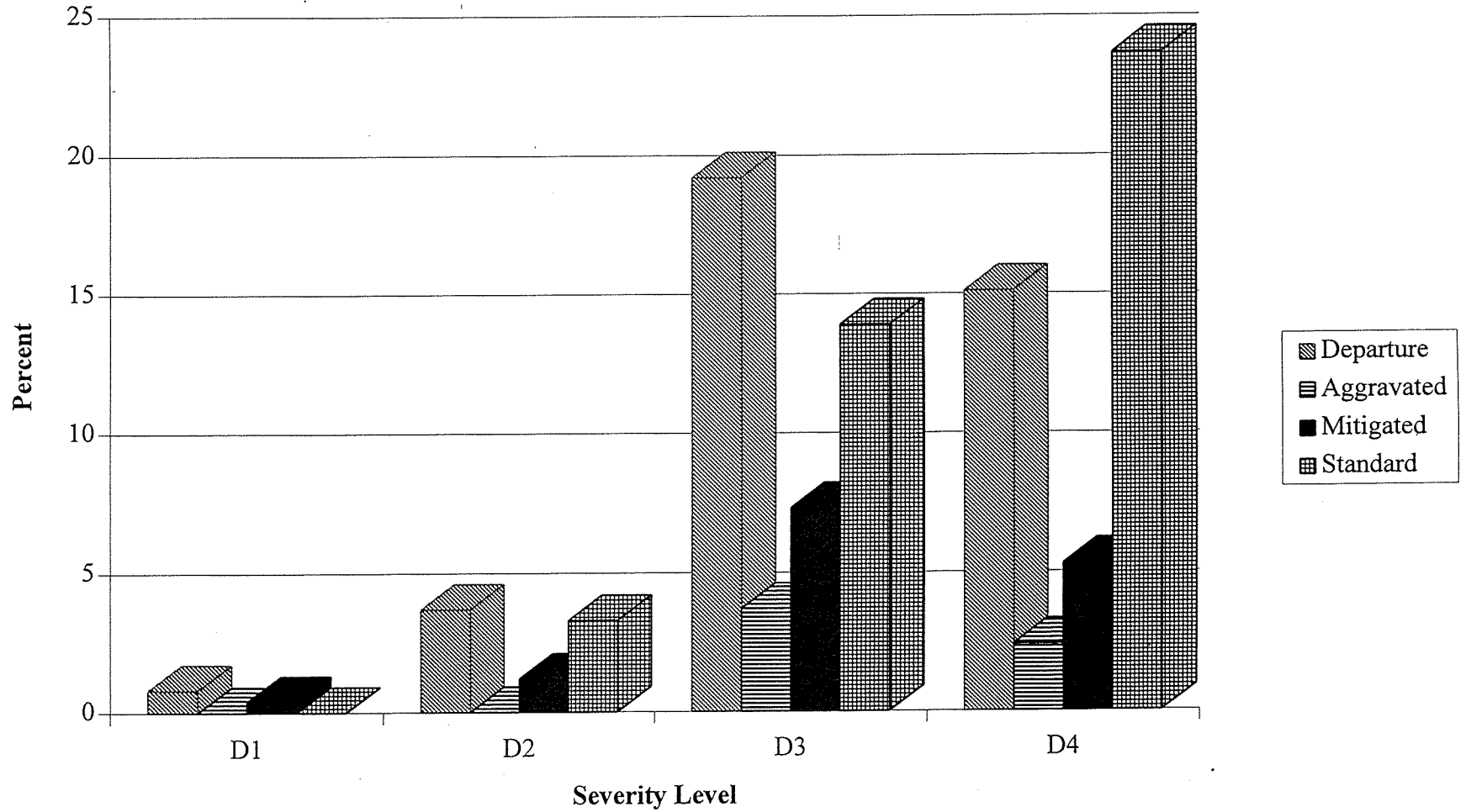
1995 New Law Departure Sentences Drug Offenders Only



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Based on 95 new law drug sentences FY 1995

1995 New Law Sentence Conformity to the Sentencing Guidelines by Severity Level: Drug Offenders Only



Based on 245 new law drug sentences FY 1995

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KANSAS SENTENCING COMMISSION

**INTERIM JUDICIARY COMMITTEE REQUESTS
FOR
ALTERNATIVE BEDSPACE PROJECTIONS TO PROPOSED LEGISLATION**

JANUARY 10, 1996

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1-16-96
Attach # 5

SENTENCING RANGE - NONDRUG OFFENSES

Category⇒	A			B			C			D			E			F			G			H			I		
Severity Level ↓	3+ Person Felonies			2 Person Felonies			1 Person & 1 Nonperson Felonies			1 Person Felony			3+ Nonperson Felonies			2 Nonperson Felonies			1 Nonperson Felony			2+ Misdemeanor			1 Misdemeanor No Record		
I	408	388	370	386	366	346	178	170	161	167	158	150	154	146	138	141	134	127	127	122	115	116	110	104	103	97	92
II	308	292	276	288	274	260	135	128	121	125	119	113	115	109	103	105	100	95	96	91	86	86	82	77	77	73	68
III	206	194	184	190	180	172	89	85	80	83	78	74	77	73	68	69	66	62	64	60	57	59	55	51	51	49	46
IV	172	162	154	162	154	144	75	71	68	69	66	62	64	60	57	59	56	52	52	50	47	48	45	42	43	41	38
V	136	130	122	128	120	114	60	57	53	55	52	50	51	49	46	47	44	41	43	41	38	38	36	34	34	32	31
VI	46	43	40	41	39	37	38	36	34	36	34	32	32	30	28	29	27	25	25	24	22	21	20	19	19	18	17
VII	34	32	30	31	29	27	29	27	25	26	24	22	23	21	19	19	18	17	17	16	15	14	13	12	13	12	11
VIII	23	21	19	20	19	18	19	18	17	17	16	15	15	14	13	13	12	11	11	10	9	11	10	9	9	8	7
IX	17	16	15	15	14	13	13	12	11	13	12	11	11	10	9	10	9	8	9	8	7	8	7	6	7	6	5
X	13	12	11	12	11	10	11	10	9	10	9	8	9	8	7	8	7	6	7	6	5	7	6	5	7	6	5

LEGEND
Presumptive Probation
Border Box
Presumptive Imprisonment

Recommended probation terms are:
 36 months for felonies classified in Severity Levels 1 - 5
 24 months for felonies classified in Severity Levels 6 - 10

Postrelease terms are:
 For felonies committed before 4/20/95
 24 months for felonies classified in Severity Levels 1 - 6
 12 months for felonies classified in Severity Level 7 - 10

For felonies committed on or after 4/20/95
 36 months for felonies classified in Severity Levels 1 - 6
 24 months for felonies classified in Severity Level 7 - 10

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SENTENCING RANGE - DRUG OFFENSES

Category ⇒	A	B	C	D	E	F	G	II	I
Severity Level ↓	3+ Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3+ Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2+ Misdemeanors	1 Misdemeanor No Record
I	204 194 185	196 186 176	187 178 169	179 170 161	170 162 154	167 158 150	162 154 146	161 150 142	154 146 138
II	83 78 74	77 73 68	72 68 65	68 64 60	62 59 55	59 56 52	57 54 51	54 51 49	51 49 46
III	51 49 46	47 44 41	42 40 37	36 34 32	32 30 28	26 24 23	23 22 20	19 18 17	16 15 14
IV	42 40 37	36 34 32	32 30 28	26 24 23	22 20 18	18 17 16	16 15 14	14 13 12	12 11 10

LEGEND
Presumptive Probation
Presumptive Imprisonment

Recommended probation terms are:

36 months for felonies classified in Severity Levels 1 - 3
24 months for felonies classified in Severity Level 4

Postrelease supervision terms are:

For felonies committed before 4/20/95
24 months for felonies classified in Severity Levels 1 - 3
12 months for felonies classified in Severity Level 4

For felonies committed on or after 4/20/95

36 months for felonies classified in Severity Levels 1 - 3
24 months for felonies classified in Severity Level 4

TABLE 2

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KANSAS DEPARTMENT OF CORRECTIONS
PRISON POPULATION PROJECTIONS
OCTOBER 1995 - JUNE 2005

Inmate Population - June of Each Year

Severity Level	October 1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	Total Increase	Percent Increase
Level 1	288	320	361	396	439	478	513	536	560	589	610	322	111.8
Level 2	523	558	629	676	723	760	784	811	824	824	830	307	58.7
Level 3	1,214	1,266	1,329	1,369	1,417	1,435	1,422	1,466	1,474	1,467	1,441	227	18.7
Level 4	294	289	291	293	294	292	285	279	269	260	269	-25	-8.5
Level 5	901	913	960	1,011	1,031	1,025	1,033	1,040	1,086	1,095	1,097	196	21.8
Level 6	176	192	208	222	224	220	230	213	219	233	251	75	42.6
Level 7	588	615	621	662	662	664	667	666	656	680	684	96	16.3
Level 8	200	202	197	199	211	208	211	221	199	222	221	21	10.5
Level 9	337	326	310	315	318	305	298	313	324	325	314	-23	-6.8
Level 10	39	55	60	43	43	40	31	29	31	27	24	-15	-38.5
Level D1	11	13	17	23	27	27	28	28	30	30	29	18	163.6
Level D2	119	136	167	188	196	214	241	243	243	238	231	112	94.1
Level D3	851	892	933	920	899	848	845	857	810	821	849	-2	-0.2
Level D4	214	208	223	221	247	255	260	247	278	259	275	61	28.5
Lifer	584	607	635	662	695	731	767	801	830	860	890	306	52.4
Technical Violator	792	739	766	612	541	483	402	385	362	406	406	-386	-48.7
Total*	7,131	7,331	7,707	7,812	7,967	7,985	8,017	8,135	8,195	8,336	8,421	1,290	18.1

KANSAS DEPARTMENT OF CORRECTIONS
 BEDSPACE IMPACT ASSESSMENT
 TOTAL IMPACT: HB 2424, HB 2425, HB 2025

June Each Year	Additional Beds Needed		
	House Bill 2424	House Bill 2425	House Bill 2025
1996	0	0	0
1997	0	0	0
1998	0	0	0
1999	0	0	0
2000	0	0	7
2001	10	21	15
2002	18	72	22
2003	19	202	48
2004	23	331	85
2005	39	480	114
2006	42	633	195
2007	38	796	255
2008	43	874	312
2009	38	913	384
2010	34	983	470
2011	39	1,046	523
2012	43	1,055	650
2013	43	1,048	714
2014	54	1,049	793
2015	61	1,063	888

Source: National Council on Crime and Delinquency

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REVISED BEDSPACE IMPACT
 HB 2425
 DOUBLING SENTENCE LENGTH IN LEVELS I AND II ONLY
 ADDITIONAL BEDS NEEDED

JUNE EACH YEAR	SEVERITY LEVEL 1	SEVERITY LEVEL 2	TOTAL
1996	0	0	0
1997	0	0	0
1998	0	0	0
1999	0	0	0
2000	0	0	0
2001	0	3	3
2002	0	15	15
2003	0	62	62
2004	1	97	98
2005	3	142	145
2006	12	181	193
2007	22	226	248
2008	36	233	269
2009	65	238	303
2010	84	264	348
2011	99	278	377
2012	108	286	394
2013	116	300	416
2014	119	301	420
2015	128	300	428