

Approved: 2/26/98 \_\_\_\_\_  
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Dave Kerr at 11:00 a.m. on February 18, 1998 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Alan Conroy, Legislative Research Department  
Russell Mills, Legislative Research Department  
April Holman, Legislative Research Department  
Norman Furse, Revisor of Statutes  
Michael Corrigan, Revisor of Statutes  
Judy Bromich, Administrative Assistant  
Ann Deitcher, Committee Secretary

Conferees appearing before the committee: Randy Hearrell, KS Judicial Council  
Ed Collister, Attorney, Lawrence, KS  
Ed Pavey, KS Law Enforcement Training Ctr.  
Jim Dailey, KS Law Enforcement Training Comm.  
Jim Denning, KS Peace Officers' Association  
Loren Anderson, KS Sheriffs' Association  
Tom Hayselden, KS Chiefs' Association  
Representative JoAnn Freeborn  
Sara Holbert, Cares, Inc.

Others attending: See attached list

**SB 456**                    **An act concerning criminal procedure; relating to indigent defendants; claims for compensation by attorneys.**

Randy Hearrell of the Kansas Judicial Council appeared before the Committee to speak in support of SB 456. (Attachments 1 and 2).

Next to address the Committee was Ed Collister, a Lawrence attorney, who spoke as an opponent to SB 456. (Attachments 3 and 4).

Senator Kerr asked if something could be put into a form for the defendant to sign when counsel is assigned, that the defendant is responsible for the payment of that counsel.

Pat Scalia, Director of the Board of Indigents' Defense, responded by saying they had just prepared and circulated to the district court clerk a new form for the bids affidavit. She also pointed out that there is a pre-sentence procedure that defendants go through where it is explained to them just what their rights and responsibilities are.

It was decided to hold **SB 456** at this time to give some of the Committee members the opportunity to do an additional study.

**SB 530**                    **An act concerning docket fees; relating to disposition thereof; law enforcement training center fund.**

Michael Corrigan of the Revisor's office explained the bill to the Committee.

The following proponents for **SB 530** appeared before the Committee and provided written testimony:

Ed Pavey, Director of the Kansas Law Enforcement Training Center, provided the Committee with a copy of his testimony as well as additional written support from other law enforcement officers across the state. (Attachments 5 and 6).

Sheriff Jim Daily of the Kansas Law Enforcement Training Commission. (Attachment 7).

Loren C. Anderson, Chairman of the Kansas Sherrifs' Association. (Attachment 8).

Thomas Hayselden, Police Chief of Shawnee, Kansas. (Attachment 9).

Frank Denning, Police Chief of Roeland Park, Kansas. (Attachment 10).

Senator Feleciano moved and Senator Morris seconded that SB 530 be recommended favorably. The motion passed on a roll call vote.

**HB 2613**

**An act authorizing the Governor to convey by quitclaim deed all rights, title and interest to certain described real estate in the city of Concordia, Cloud county, Kansas.**

Representative JoAnn Freeborn explained the content of **HB 2613**, then introduced Sarah Holbert, CEO of CARES, Inc. (Attachments 11 and 12).

Senator Downey moved and Senator Feleciano seconded that HB 2613 be recommended favorably. The motion passed on a roll call vote.

It was moved by Senator Feleciano and seconded by Senator Downey that bill draft 7 RS 2255 be introduced. The motion was carried on a voice vote.

The Chairman adjourned the meeting at 12:05 p.m.

The next meeting is scheduled for February 19, 1998.

**JUDICIAL COUNCIL TESTIMONY  
IN SUPPORT OF SENATE BILL 456  
FEBRUARY 18, 1998**

The 1996 Legislature requested the Kansas Judicial Council to undertake a study of the interaction between the Judicial Branch and the Board of Indigents' Defense Services (BIDS). In large part, the Legislature requested recommendations to aid in increased recoupment of the attorneys' fees provided through the Board of Indigents' Defense Services. The Legislature identified a number of areas for study, specifically requesting a study of "whether judges should order defendants to reimburse costs at the time of sentencing." The committee appointed to conduct the study concluded that judges should order defendants to reimburse costs at the time of sentencing. We are before you to support legislation that would implement this recommendation.

The advisory committee that undertook the study included Representative Gayle Mollenkamp, Russell Springs, and Senator Stephen R. Morris, Hugoton. Judges serving on the committee in addition to me were Jack L. Burr, Goodland; William F Lyle, Jr., Hutchinson; Paul E. Miller, Manhattan; and Clark V. Owens II, Wichita. Professor William Rich of Washburn University, Mark J. Sachse, a criminal defense attorney in private practice in Kansas City, Kansas, and Ronald Wurtz were the attorney members.

The Legislature considered a number of the committee's recommendations last session as Senate Bill 28. That bill, as amended, was enacted. The Advisory Committee met again this past summer to consider whether any further recommendations should be made. While the committee disagreed with several of the amendments, the committee felt that only one provision warranted asking the legislature to reconsider a recommendation. That recommendation is in the form of Senate Bill 456. The proposed language requires an appointed attorney to present the attorney's claim for compensation to the court and the defendant at the time of sentencing. If good cause exists, supplemental claims may be considered. It is intended that the supplemental claim will be for the exceptional case where post-sentencing motions are prepared. The attorneys on the committee felt that the claim could be submitted at sentencing because the time spent in court for a sentencing and the time for reviewing a journal entry are usually predictable.

The committee feels a requirement for submission of the claim at the time of sentencing is critical to accomplishing the goal of maximum recoupment, especially in light of other amendments made by the Legislature last year which require the court to enter judgment for the amount of the fee expended, rather than utilize a scheduled amount as the committee had recommended.

The judges and the attorneys on the advisory committee believe that having the defendant presented with a billing for services during the hearing accomplishes several purposes. Most important, the presentation of the billing to a defendant sets the tone for the entire recoupment process. Rather than being told that there will be some amount of an attorney fee to be set in the future, a defendant can be given a clear message. If the court orders payment of a sum certain, a payment schedule can be immediately implemented and the defendant leaves the courthouse with an understanding of the expectation.

*S Wagon*

*2/18/98*

*Attachment 1*

A second reason is that the amount can be placed in the journal entry immediately. This allows for clear communication to the officer supervising probation. If an amount is set at some future date, there is no clear communication of the order. If at sentencing the court orders that the attorney fee will be the amount approved by BIDS, the court and the court services officer have no way of knowing the final amount approved by BIDS. In the rare case this amount is communicated to the court, there will still be no reporting to the court services or other supervising officer who is expected to work with the defendant to implement a plan for recoupment.

A related problem is having the exact amount formalized into an order of the court. If the court makes findings at the time of sentencing, the attorney fee payment will be incorporated into the journal entry of the sentencing. If the amount is approved at a later time, there is no easy mechanism. Basically, this reverts to the system in place before Senate Bill 28 was adopted and requires a county or district attorney to take steps to formalize the entry of the award into the court record. The post audit and the advisory committee concluded that such additional steps were rarely taken.

Without the formal entry of an amount, the collection procedures through an outside collection firm as authorized under the prior legislation cannot be utilized.

Finally, having the voucher presented in the presence of the defendant provides the defendant an opportunity to be heard before judgment is entered, a critical due process right. This allows a defendant to dispute the accuracy of the voucher. While abuse may be infrequent, the court has no way of verifying the amount of time expended by an attorney on the case, except to the extent the time is for time spent in the courtroom. Often a defendant is better able to make this assessment than the court.

Once again, the committee feels that a contemporaneous accounting and hearing are critical to the success of the recoupment efforts. Therefore, the advisory committee and Judicial Council urge the adoption of Senate Bill 456.





FEB 05 1998

## KANSAS JUDICIAL COUNCIL

JUSTICE TYLER C. LOCKETT, CHAIR, TOPEKA  
JUDGE J. PATRICK BRAZIL, TOPEKA  
JUDGE MARLA J. LUCKERT, TOPEKA  
JUDGE NELSON E. TOBUREN, PITTSBURG  
SEN. TIM EMERT, INDEPENDENCE  
REP. TIM CARMODY, OVERLAND PARK  
J. NICK BADGEROW, OVERLAND PARK  
GERALD L. GOODELL, TOPEKA  
PHILLIP MELLOR, WICHITA  
MARVIN E. THOMPSON, RUSSELL

Kansas Judicial Center  
301 S.W. Tenth Street, Suite 262  
Topeka, Kansas 66612-1507

Telephone (785) 296-2498  
Facsimile (785) 296-1035  
JudicialC@jc.wpo.state.ks.us

RANDY M. HEARRELL  
EXECUTIVE DIRECTOR  
CHRISTY R. MOLZEN  
RESEARCH ATTORNEY  
JANELLE L. WILLIAMS  
ADMINISTRATIVE ASSISTANT  
TAMMIE L. STANLEY  
ADMINISTRATIVE ASSISTANT

February 5, 1998

Senator Dave Kerr  
Chair, Senate Ways and Means Committee  
State Capitol  
Room #120-S

Dear Senator Kerr:

I am writing to respectfully request that the Senate Ways and Means Committee hold hearings on 1998 Senate Bill 456 relating to claims for compensation by attorneys who represent indigent defendants.

You may recall that the 1996 Legislature requested the Kansas Judicial Council to undertake a study of the interaction between the Judicial Branch and the Board of Indigents' Defense Services. The Council appointed a committee (including Ways and Means member Senator Stephen R. Morris), conducted the study, and Senate Bill 28 was introduced into the 1997 Legislature. The bill passed the Senate. The bill did not receive a hearing in the House, but we were able to get the bill amended into House Substitute for Senate Bill 264 and almost all of the recommendations became law. Unfortunately, the amendment to K.S.A. 22-4507, which is requested by 1998 Senate Bill 456, was removed in the conference committee consideration. The reason for its removal was that it was thought by House conferees that it would be a burden on an attorney to have his or her bill prepared by the time of sentencing.

The Judicial Council is of the opinion that presenting the bill at sentencing is an important requirement. The advisory committee heard testimony that one of the reasons for inconsistency in court orders for repayment of expenditures for defense services is that the costs are not known at the time of sentencing. In addition, the committee believes that by considering the bill of the appointed attorney in open court, it gives the message to the defendant that he or she is expected to repay this amount and it also gives the defendant an opportunity to challenge the amount if the defendant believes the attorney has claimed more time than was actually spent on the matter.

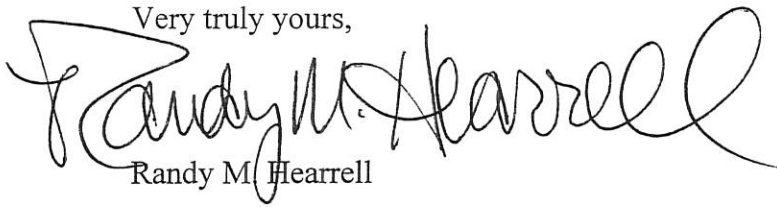
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Senator Dave Kerr  
February 5, 1998  
Page 2

Shawnee County District Court Judge Marla J. Luckert, who chaired the Judicial Council committee on this matter, is willing to appear before your committee, at your convenience, to testify on Senate Bill 456. In addition, I have enclosed a list of the members of the Judicial Council/BIDS Advisory Committee and a copy of the bill.

If I can answer any further questions about this matter or somehow facilitate the hearing of this bill, please contact me.

Very truly yours,

A handwritten signature in black ink that reads "Randy M. Hearrell". The signature is written in a cursive, flowing style with a large initial "R".

Randy M. Hearrell

RMH/ts  
Enclosure

cc: Senator Stephen R. Morris  
Judge Marla J. Luckert

S W4m  
2/18/98  
Attachment 2-2

JUDICIAL BRANCH/BOARD OF INDIGENT  
DEFENSE SERVICES ADVISORY COMMITTEE

Hon. Marla J. Luckert, Chair  
Third Judicial District  
200 SE 7th, Courthouse, Rm 303  
Topeka, KS 66603  
(785) 233-8200 ext. 4130  
(785) 291-4911 FAX

Hon. Jack L. Burr  
Div. 2, District Court  
813 Broadway, Rm. 201  
Goodland, KS 67735  
(785) 899-4850  
(785) 899-4858 FAX

Hon. William F. Lyle, Jr.  
206 W. First Ave.  
Hutchinson, KS 67501  
(316) 694-2963  
(316) 694-2958 FAX

Hon. Paul E. Miller  
Div. 1, District Court  
100 Courthouse Plz.  
Manhattan, KS 66502  
(785) 537-6371  
(785) 537-6382 FAX

Rep. Gayle Mollenkamp  
702B County Rd. #220  
Russell Springs, KS 67755  
(785) 751-4405

Senator Stephen R. Morris  
600 Trindle  
Hugoton, KS 67951  
(316) 544-2084  
(316) 544-7433 FAX

Hon. Clark V. Owens II  
Sedgwick County Courthouse  
Div. 20, Room 6-1  
525 N. Main St.  
Wichita, KS 67203-3373  
(316) 383-7661  
(316) 383-7560 FAX

Professor William Rich  
Washburn University  
School of Law  
1700 College  
Topeka, KS 66621  
(785) 231-1010 Ext. 1674  
(785) 232-8087 FAX

Mark J. Sachse  
748 Ann Avenue  
Kansas City, KS 66101  
(913) 371-1930  
(913) 371-0147 FAX

Ronald E. Wurtz  
Capital Defense Coordinator  
Death Penalty Defense Unit  
112 S.W. 6th St., #302  
Topeka, KS 66603  
(785) 296-6555  
(785) 291-3979 FAX

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Randy M. Hearrell  
Kansas Judicial Council  
301 S.W. 10th, Rm. 262  
Topeka, KS 66612  
(785) 296-3930  
(785) 296-1035 FAX  
(785) 862-0028 HOME

(05/96)

*S W & M  
2/18/98  
Attachment 2-3*

**REMARKS FOR SENATE WAYS & MEANS COMMITTEE**  
**considering Senate Bill 456**  
**2/18/98**

Thank you for the opportunity, Ladies and Gentlemen, to appear before you to comment concerning Senate Bill 456 which proposes to add an amendment to K.S.A. 22-4507. I believe the change will be counterproductive.

I appear here today as a private practicing attorney from Lawrence, Kansas. The bill concerns procedure for submitting vouchers by appointed counsel through the Board of Indigents' Defense Services system. I have been a member of an assigned counsel panel in the 7th Judicial District for about 25 years. I perform similar services on the appellate level in addition to the trial court level. That means that frequently I am confronted with the process of submitting vouchers for payment from the BIDS board. I am a member of the Judicial Council Criminal Law Advisory Committee, president-elect of the Criminal Law Section of the Kansas Bar Association, have been Assistant County Attorney for a very short period of time, an Assistant Attorney General for Attorney Generals Londerholm, Frizzell and Miller, and thereafter been in private practice.

The proposed amendment which concerns me is that found in Section 1(b) of the Senate Bill here under consideration.

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*Attachment 3-1*

It changes existing procedure and requires that claims for compensation and reimbursement "shall be presented to the court and defendant at the time of sentencing, except that upon good cause shown a supplemental claim may be filed with the court at a later time." I believe that in practice this proposal will consume more attorney and judge time, and not achieve the desired result.

Let me first address the reform desired. I assume from the inquiries that I've made that the suggested amendment comes from an advisory committee on interaction between the judicial branch and the Board of Indigents' Defense Services. This particular recommendation is found at page 6 thereof of their report, #3. To further recoupment efforts of BIDS expenditures, this recommendation would assist by making consistent court orders requiring repayment of expenditures. It suggests that a problem is that at the time of sentencing, costs which would include those claims are not known. The latter fact is usually true and it would remain true if the bill were enacted. However, the proposed amendment does not solve the targeted problem. The amendment suggests that claims shall be presented to the court at the time of sentencing. Literally interpreted, that means the attorney hands his voucher to the Judge at

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the time of sentencing. Nothing else is required. Considering the voucher and entering an order at that time are now wise.

As a practical matter, a felony criminal case is not complete at sentencing. Therefore, requiring the submission of the voucher at that time is premature. As a practical matter, any order on restitution or affecting recoupment is made either at sentencing or at a later date when the restitution amount is determined.

As a practical matter, the real problem is that the case is not complete when the sentencing hearing has been completed. Furthermore, for the sentencing procedure itself under sentencing guidelines, much more is involved than a lawyers showing up with his client, making a relatively short presentation to the trial court followed by the trial court's imposition of sentence. Under sentencing guidelines, the process is much more involved and lengthy to the extent that no one can predict ahead of time in a significant number of cases the extent of time expenditure.

Under sentencing guidelines the sentencing hearing is combination of the following considerations:

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1. The determination of a departure request if made by either the defendant or state hearing with the accompanying evidentiary hearing.

2. The determination of the appropriate criminal history score with the attendant objections of the defendant to any proposed score and an attendant evidentiary hearing.

3. In any case where the trial court has statutorily directives such as the border box cases or the special crimes sentencing consequences, potentially there is a hearing to be held where either side or both may present evidence to achieve the desired sentence. Sentencing now is much more complicated than it was prior to 1993. I would also say that in at least one-half of the felony cases in which I would appear, there would be some controversy over the preparation of the Journal Entry that puts in writing what the court orders. It is further true that in a significant number of cases the area of restitution is not finalized at the sentencing hearing itself. Restitution is treated as of a civil aspect of the case rather than criminal, even though it may be part of a sentencing procedure. More often than not, the determination of restitution is after the sentencing hearing and is resolved either by agreement between counsel, reflected in a

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Attachment 3-4

restitution order, or resolved by the trial court after an evidentiary hearing on the amount of restitution.

Thus, if the proposed amendment is seen as requiring the trial judge to enter an amount for attorney's fees to be the subject of restitution (which BIDS would call recoupment), and if it is assumed that that figure will be determined at the sentencing hearing itself, in a significant number of cases, the final amount will not be known. The result is the attorney is going to have to submit a supplemental voucher, there is going to be more administrative process, and there is going to be another attempt at recouping or certifying as restitution an additional amount of money, all complicating the process with more paperwork and more time. Further, if we assume that the trial court is going to enter an amount representing attorney's fees as restitution or costs, that means the Judge is going to have to review the voucher at or during the hearing. The result, a waste of court time for the Judge, and perhaps the attorneys if they are required to wait around for awhile while the Judge makes a careful examination of the voucher as we all expect the Judge to do.

If we expect the defendant to review the voucher also and venture his or her opinion or disagreement at

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Attachment 3-5

sentencing, other problems result. The attorney who is submitting the voucher still represents the defendant. He or she is still required to perform attorney-client tasks until the time a determination is made not to appeal, the Journal Entry is finalized, the restitution hearing is finalized, or any other post-sentence date tasks. Is the Judge to conduct a hearing on whether the defendant's objections to the voucher are valid or should be given more weight than the attorney's explanation of what the attorney did? The attorney has a problem involving lawyer-client privilege in participating in a hearing of that nature unless the privilege is waived. That involves a consideration of the legal rights of the defendant and the attorney cannot represent his own interests on the voucher and the client at the same time. And, if the attorney and the client get into an adversary-type of hearing concerning the voucher, how can the attorney continue to perform tasks required of him by law, and by the rules of the Board of Indigents' Defense Services in the same case.

I have attached to this comment a copy of a standard sentencing form prepared by the Kansas Sentencing Commission. On the second page of the form, you will see a block for restitution or costs. That is the only place

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where the Judge can realistically enter any order concerning any amount of the costs. Following a resolution of all the issues at sentencing and/or restitution hearing, the Judge will order that a journal entry be prepared. The State prepares the journal entry. If there is concern that in every felony appointment case the Judge determine what the recoupment attorney's fees are to be, why not simply put a box on the standard journal entry form and require that the Judge enter an order before he signs the sentencing order. That does not necessarily have anything to do with the time when the voucher is submitted but it is at a time when most of the problems arising out of the sentencing procedure are resolved by a written document, the written order following sentencing, an order prepared by the attorneys and signed by the Judge.

Or, perhaps easier, if the BIDS Board wants specific orders made by the Judge on attorney's fees for recoupment, then why don't they devise a simple form for the Judge to use in the form of an order to be included with the voucher form they already use? Every Judge has to approve every claim by an attorney in writing on the form prepared by BIDS. Currently my understanding is that that has to be done within 60 days absent some special reason why the

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voucher is not completed in that time. Why not have the order entered as part of that form and order served on the defendant? Unless the defendant is acquitted of the charges or the case dismissed, there is going to be a voucher, and a place for a judge to approve that voucher. Should be a simple and timely method to solve the perceived problem. But, the proposed amendment causes additional time consumption for all concerned without much positive result.

Yours very truly,

Ed Collister  
Attorney at Law  
3311 Clinton Parkway Court  
Lawrence, Kansas 66047-2631  
(785) 842-3126

J W+M  
2/18/98  
Attachment 3-8

**For Court Use Only**

**KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT**

**SECTION I. CASE IDENTIFYING INFORMATION**

|  |                   |   |                    |  |
|--|-------------------|---|--------------------|--|
| Case Name<br>STATE v.  |                   | Court O.R.I. Number   |                    | K.B.I. Number  |
| County   | Court Case Number | Sentencing Judge  |                    | Sentencing Date  |
| Type of Counsel<br><input type="checkbox"/> Appointed <input type="checkbox"/> Retained <input type="checkbox"/> Self <input type="checkbox"/> Other |                   | Type of Trial<br><input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Plea | Date of Conviction | Pre-Trial Status of Offender<br><input type="checkbox"/> In Custody <input type="checkbox"/> Released on Bond <input type="checkbox"/> Other Release |

**SECTION II. CRIMINAL HISTORY CLASSIFICATION**

Offender's Overall Criminal History Classification as Found by the Court (please circle):

|         |   |   |   |   |   |   |   |   |   |
|---------|---|---|---|---|---|---|---|---|---|
| Nondrug | A | B | C | D | E | F | G | H | I |
| Drug    | A | B | C | D | E | F | G | H | I |

|   |  |
|---|--|
| Objection to Criminal History?<br><input type="checkbox"/> Yes <input type="checkbox"/> No  | If Yes, By:<br><input type="checkbox"/> Defendant <input type="checkbox"/> State |
| Court's Ruling on Objection:<br><input type="checkbox"/> Criminal history was amended <input type="checkbox"/> Criminal history was not amended |  |

**SECTION III. CURRENT CONVICTION INFORMATION**

| Name of PRIMARY Offense of Conviction | K.S.A. Title, Section, Subsection(s)  | Grade of Offense<br><input type="checkbox"/> Felony <input type="checkbox"/> Misd. Class | Offense Severity Level<br>Level<br><input type="checkbox"/> Nongrid Grid <input type="checkbox"/> Drug Grid | Case Tracking No. |
|---------------------------------------|---|--|---|-------------------|
| Count No. _____ Date of Offense _____ | <input type="checkbox"/> Attempt <input type="checkbox"/> Comp. <input type="checkbox"/> Solic. | <input type="checkbox"/> Person <input type="checkbox"/> Nonperson                       | <input type="checkbox"/> Offgrid <input type="checkbox"/> Nongrid   |                   |

Presumptive Sentencing Range:      Standard      Aggravated      Mitigated

Presumptive Prison

Presumptive Probation

Border Box

|  |   |  |
|--|---|--|
| <b>Sentence Imposed:</b><br><input type="checkbox"/> Prison - DOC<br><input type="checkbox"/> Life Imprisonment (for Offgrid crime)<br><input type="checkbox"/> Hard 10 <input type="checkbox"/> Hard 25 <input type="checkbox"/> Hard 40<br><input type="checkbox"/> Death Sentence<br><input type="checkbox"/> County Jail _____ days _____ mos.<br>(For misdemeanor or nongrid felony)<br><input type="checkbox"/> Probation for: <input type="checkbox"/> 24 mos. <input type="checkbox"/> 36 mos.<br><input type="checkbox"/> 60 mos <input type="checkbox"/> Other _____<br>(Underlying Prison Term is _____ mos.) | <b>Guideline Range Imposed:</b><br><input type="checkbox"/> Standard<br><input type="checkbox"/> Aggravated<br><input type="checkbox"/> Mitigated<br><input type="checkbox"/> Departure - Complete Section IV | <b>Special Rule Applicable to Sentence, If Any:</b><br><input type="checkbox"/> Person Felony Committed With a Firearm<br><input type="checkbox"/> Aggravated Battery L.E.O.<br><input type="checkbox"/> Aggravated Assault L.E.O.<br><input type="checkbox"/> Crime Committed for Benefit of Criminal Street Gang<br><input type="checkbox"/> Felony DUI<br><input type="checkbox"/> Felony Criminal Deprivation/Motor Vehicle<br><input type="checkbox"/> Felony Domestic Battery<br><input type="checkbox"/> Crime Committed While on Probation, Parole, Etc.<br><input type="checkbox"/> Other _____ |
|--|---|--|

|   |   |  |
|---|---|--|
| <b>Postrelease Supervision Term:</b><br><input type="checkbox"/> 24 mos. <input type="checkbox"/> 36 mos.<br><input type="checkbox"/> 60 mos. (sex offense) - Complete Section IV<br><input type="checkbox"/> Other _____ | <b>Probation To:</b><br><input type="checkbox"/> Court Services<br><input type="checkbox"/> Community Corrections | <b>County Jail Time Imposed As a Condition of Probation:</b> _____ days<br><b>Comments:</b> _____<br><b>Assignment to Labelle Correctional Conservation Camp:</b> _____ days<br><b>Comments:</b> _____ |
|---|---|--|

PLEASE USE SUPPLEMENTAL PAGE FOR ADDITIONAL OFFENSES OF CONVICTION

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*2/18/98*  
*Attachment 4-1*



**KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT - PAGE 2**

**SECTION IV. DEPARTURE INFORMATION**

Type of Departure:

- Downward Durational
- Downward Dispositional
- Upward Durational
- Upward Dispositional
- Postrelease Supervision (sex offense)

Reasons Cited as Basis for Departure:

**SECTION V. OTHER CONDITIONS**

**General/Special Conditions of Probation (ATTACH ORDER OF PROBATION TO THIS JOURNAL ENTRY)**

Costs Ordered:

Total Restitution \$ \_\_\_\_\_

Total Court Costs \_\_\_\_\_

Total Fines \_\_\_\_\_

Total Fees \_\_\_\_\_

Comments:

**SECTION VI. RECAP OF SENTENCE**

Total Period of Confinement in DOC (please state):

Prior Case(s) to Which the Current Sentence is to Run Concurrent or Consecutive (include Case No., County of Conviction, and Sentence Length, and state whether concurrent or consecutive):

Probation Period  
 24 mos.  60 mos.  
 36 mos.  Other \_\_\_\_\_

Postrelease Period  
 24 mos.  36 mos.  
 60 mos.  Other \_\_\_\_\_

Jail Time Credit  
\_\_\_\_\_ days

Sentence Begins Date (to include jail credit)

Additional Comments:

Motion for New Trial Denied?

Yes  No

Motion for Judgment of Acquittal Denied?

Yes  No

**SECTION VII. SIGNATURES**

Judge's Signature

Date

Name of Prosecuting Attorney: #

Date: \_\_\_\_\_

By: \_\_\_\_\_

Address:  
 Douglas County District Attorney  
 111 E. 11th  
 Lawrence, KS 66047

Phone No.: 913-841-0211

Name of Defense Attorney: #

Date: \_\_\_\_\_

By: \_\_\_\_\_

Address:

Phone No.:

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Attachment 4-2

**KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT (SUPPLEMENTAL PAGE 2)**

|   |  |  |  |                          |
|---|--|--|--|--------------------------|
| <b>Name of Additional Offense of Conviction</b> | <b>K.S.A. Title, Section, Subsection(s)</b>  | <b>Grade of Offense</b>  | <b>Offense Severity Level</b>  | <b>Case Tracking No.</b> |
| <b>Count No.</b> <b>Date of Offense</b>         | <input type="checkbox"/> Attempt <input type="checkbox"/> Consp. <input type="checkbox"/> Solic. | <input type="checkbox"/> Felony <input type="checkbox"/> Misd. Class<br><input type="checkbox"/> Person <input type="checkbox"/> Nonperson | <b>Level</b><br><input type="checkbox"/> Nongrid <input type="checkbox"/> Drug Grid<br><input type="checkbox"/> Offgrid <input type="checkbox"/> Nongrid |                          |

Presumptive Sentencing Range: (Use Criminal History Classification "I" for nonbase sentences)

Standard                      Aggravated                      Mitigated

Presumptive Prison  
 Presumptive Probation  
 Border Box

|   |   |  |
|---|---|--|
| <b>Sentence Imposed:</b><br><input type="checkbox"/> Prison - DOC _____ mos.<br><input type="checkbox"/> Life Imprisonment (for Offgrid crime)<br><input type="checkbox"/> Hard 10 <input type="checkbox"/> Hard 25 <input type="checkbox"/> Hard 40<br><input type="checkbox"/> Death Sentence<br><br><input type="checkbox"/> County Jail _____ days      _____ mos.<br>(For misdemeanor or nongrid felony)<br><br><input type="checkbox"/> Probation<br>(Underlying Prison Term is _____ mos.) | <b>Guideline Range Imposed:</b><br><br><input type="checkbox"/> Standard<br><br><input type="checkbox"/> Aggravated<br><br><input type="checkbox"/> Mitigated<br><br><input type="checkbox"/> Departure - Complete Section IV | <b>Special Rule Applicable to Sentence, If Any:</b><br><br><input type="checkbox"/> Person Felony Committed With a Firearm<br><input type="checkbox"/> Aggravated Battery L.E.O.<br><input type="checkbox"/> Aggravated Assault L.E.O.<br><input type="checkbox"/> Crime Committed for Benefit of Criminal Street Gang<br><input type="checkbox"/> Felony DUI<br><input type="checkbox"/> Felony Criminal Deprivation/Motor Vehicle<br><input type="checkbox"/> Felony Domestic Battery<br><input type="checkbox"/> Crime Committed While on Probation, Parole, Etc.<br><input type="checkbox"/> Other _____ |
|---|---|--|

|  |  |
|--|--|
| <b>Postrelease Supervision Term:</b><br><br><input type="checkbox"/> 24 mos. <input type="checkbox"/> 36 mos. <input type="checkbox"/> 60 mos. (sex offense) - Complete Section IV<br><input type="checkbox"/> Other _____ | <b>Concurrent/Consecutive</b><br><br><input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive      To Count(s) _____ |
|--|--|

|   |  |  |  |                          |
|---|--|--|--|--------------------------|
| <b>Name of Additional Offense of Conviction</b> | <b>K.S.A. Title, Section, Subsection(s)</b>  | <b>Grade of Offense</b>  | <b>Offense Severity Level</b>  | <b>Case Tracking No.</b> |
| <b>Count No.</b> <b>Date of Offense</b>         | <input type="checkbox"/> Attempt <input type="checkbox"/> Consp. <input type="checkbox"/> Solic. | <input type="checkbox"/> Felony <input type="checkbox"/> Misd. Class<br><input type="checkbox"/> Person <input type="checkbox"/> Nonperson | <b>Level</b><br><input type="checkbox"/> Nongrid <input type="checkbox"/> Drug Grid<br><input type="checkbox"/> Offgrid <input type="checkbox"/> Nongrid |                          |

Presumptive Sentencing Range: (Use Criminal History Classification "I" for nonbase sentences)

Standard                      Aggravated                      Mitigated

Presumptive Prison  
 Presumptive Probation  
 Border Box

|   |   |  |
|---|---|--|
| <b>Sentence Imposed:</b><br><input type="checkbox"/> Prison - DOC _____ mos.<br><input type="checkbox"/> Life Imprisonment (for Offgrid crime)<br><input type="checkbox"/> Hard 10 <input type="checkbox"/> Hard 25 <input type="checkbox"/> Hard 40<br><input type="checkbox"/> Death Sentence<br><br><input type="checkbox"/> County Jail _____ days      _____ mos.<br>(For misdemeanor or nongrid felony)<br><br><input type="checkbox"/> Probation<br>(Underlying Prison Term is _____ mos.) | <b>Guideline Range Imposed:</b><br><br><input type="checkbox"/> Standard<br><br><input type="checkbox"/> Aggravated<br><br><input type="checkbox"/> Mitigated<br><br><input type="checkbox"/> Departure - Complete Section IV | <b>Special Rule Applicable to Sentence, If Any:</b><br><br><input type="checkbox"/> Person Felony Committed With a Firearm<br><input type="checkbox"/> Aggravated Battery L.E.O.<br><input type="checkbox"/> Aggravated Assault L.E.O.<br><input type="checkbox"/> Crime Committed for Benefit of Criminal Street Gang<br><input type="checkbox"/> Felony DUI<br><input type="checkbox"/> Felony Criminal Deprivation/Motor Vehicle<br><input type="checkbox"/> Felony Domestic Battery<br><input type="checkbox"/> Crime Committed While on Probation, Parole, Etc.<br><input type="checkbox"/> Other _____ |
|---|---|--|

|  |  |
|--|--|
| <b>Postrelease Supervision Term:</b><br><br><input type="checkbox"/> 24 mos. <input type="checkbox"/> 36 mos. <input type="checkbox"/> 60 mos. (sex offense) - Complete Section IV<br><input type="checkbox"/> Other _____ | <b>Concurrent/Consecutive</b><br><br><input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive      To Count(s) _____ |
|--|--|

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2/18/98  
Attachment 4-3*

KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT (SUPPLEMENTAL PAGE 3)

|  |   |  |  |                   |
|--|---|--|--|-------------------|
| Name of Additional Offense of Conviction | K.S.A. Title, Section, Subsection(s)  | Grade of Offense   | Offense Severity Level   | Case Tracking No. |
| Count No. _____ Date of Offense _____    | <input type="checkbox"/> Attempt <input type="checkbox"/> Conspiracy <input type="checkbox"/> Solicit | <input type="checkbox"/> Felony <input type="checkbox"/> Misd. Class _____<br><input type="checkbox"/> Person <input type="checkbox"/> Nonperson | <input type="checkbox"/> Nongrid <input type="checkbox"/> Drug Grid<br><input type="checkbox"/> Offgrid <input type="checkbox"/> Nongrid |                   |

Presumptive Sentencing Range: Standard Aggravated Mitigated  Presumptive Prison  
 Classification "I" for nonbase sentences)  Presumptive Probation  
 Border Box

|   |  |   |
|---|--|---|
| Sentence Imposed:<br><input type="checkbox"/> Prison - DOC _____ mos.<br><input type="checkbox"/> Life Imprisonment (for Offgrid crime)<br><input type="checkbox"/> Hard 10 <input type="checkbox"/> Hard 25 <input type="checkbox"/> Hard 40<br><input type="checkbox"/> Death Sentence<br><br><input type="checkbox"/> County Jail _____ days _____ mos.<br>(For misdemeanor or nongrid felony)<br><br><input type="checkbox"/> Probation<br>(Underlying Prison Term is _____ mos.) | Guideline Range Imposed:<br><input type="checkbox"/> Standard<br><input type="checkbox"/> Aggravated<br><input type="checkbox"/> Mitigated<br><br><input type="checkbox"/> Departure - Complete Section IV | Special Rule Applicable to Sentence, If Any:<br><input type="checkbox"/> Person Felony Committed With a Firearm<br><input type="checkbox"/> Aggravated Battery L.E.O.<br><input type="checkbox"/> Aggravated Assault L.E.O.<br><input type="checkbox"/> Crime Committed for Benefit of Criminal Street Gang<br><input type="checkbox"/> Felony DUI<br><input type="checkbox"/> Felony Criminal Deprivation/Motor Vehicle<br><input type="checkbox"/> Felony Domestic Battery<br><input type="checkbox"/> Crime Committed While on Probation, Parole, Etc.<br><input type="checkbox"/> Other _____ |
|---|--|---|

Postrelease Supervision Term:  24 mos.  36 mos.  60 mos. (sex offense) - Complete Section IV  Other \_\_\_\_\_

Concurrent/Consecutive  Concurrent  Consecutive To Count(s) \_\_\_\_\_

|  |   |  |  |                   |
|--|---|--|--|-------------------|
| Name of Additional Offense of Conviction | K.S.A. Title, Section, Subsection(s)  | Grade of Offense   | Offense Severity Level   | Case Tracking No. |
| Count No. _____ Date of Offense _____    | <input type="checkbox"/> Attempt <input type="checkbox"/> Conspiracy <input type="checkbox"/> Solicit | <input type="checkbox"/> Felony <input type="checkbox"/> Misd. Class _____<br><input type="checkbox"/> Person <input type="checkbox"/> Nonperson | <input type="checkbox"/> Nongrid <input type="checkbox"/> Drug Grid<br><input type="checkbox"/> Offgrid <input type="checkbox"/> Nongrid |                   |

Presumptive Sentencing Range: Standard Aggravated Mitigated  Presumptive Prison  
 Classification "I" for nonbase sentences)  Presumptive Probation  
 Border Box

|   |  |   |
|---|--|---|
| Sentence Imposed:<br><input type="checkbox"/> Prison - DOC _____ mos.<br><input type="checkbox"/> Life Imprisonment (for Offgrid crime)<br><input type="checkbox"/> Hard 10 <input type="checkbox"/> Hard 25 <input type="checkbox"/> Hard 40<br><input type="checkbox"/> Death Sentence<br><br><input type="checkbox"/> County Jail _____ days _____ mos.<br>(For misdemeanor or nongrid felony)<br><br><input type="checkbox"/> Probation<br>(Underlying Prison Term is _____ mos.) | Guideline Range Imposed:<br><input type="checkbox"/> Standard<br><input type="checkbox"/> Aggravated<br><input type="checkbox"/> Mitigated<br><br><input type="checkbox"/> Departure - Complete Section IV | Special Rule Applicable to Sentence, If Any:<br><input type="checkbox"/> Person Felony Committed With a Firearm<br><input type="checkbox"/> Aggravated Battery L.E.O.<br><input type="checkbox"/> Aggravated Assault L.E.O.<br><input type="checkbox"/> Crime Committed for Benefit of Criminal Street Gang<br><input type="checkbox"/> Felony DUI<br><input type="checkbox"/> Felony Criminal Deprivation/Motor Vehicle<br><input type="checkbox"/> Felony Domestic Battery<br><input type="checkbox"/> Crime Committed While on Probation, Parole, Etc.<br><input type="checkbox"/> Other _____ |
|---|--|---|

Postrelease Supervision Term:  24 mos.  36 mos.  60 mos. (sex offense) - Complete Section IV  Other \_\_\_\_\_

Concurrent/Consecutive  Concurrent  Consecutive To Count(s) \_\_\_\_\_

5 w+m  
2/18/98  
Attachment 4-4





**Testimony Before The Senate Ways & Means Committee  
In Support of 1998 Senate Bill No. 530**

**February 18, 1998  
Ed H. Pavey, Director**

**RETAINING KLETC'S PRESENT FUNDING LEVEL**

The Kansas Law Enforcement Training Center (KLETC), a unit of the Division of Continuing Education of The University of Kansas, supports the passage of 1998 Senate Bill No. 530. Passage of this bill, a legislative amendment to K.S.A. 20-362(e), will allow KLETC to retain the present \$9 district court docket fee remittance level, repealing the \$1 sunset provision that will take effect 7/1/98. Retaining this \$1 docket fee assessment would continue to provide, according to projections, approximately \$188,000 annually for KLETC salary and operations funding.

**BACKGROUND**

Funding for the Kansas Law Enforcement Training Center (KLETC) is currently provided from the Law Enforcement Training Center Fund, as established by K.S.A. 74-5619, and enabled by K.S.A. 20-362 and 20-362(e). The fund received, prior to 7/1/97, \$4 from the docket fee charged in criminal and traffic-related cases in municipal court. A legislative sunset provision reduced this remittance level from \$4 to \$2 effective 7/1/97. Additionally, the fund presently receives \$9 from the docket fee charged in criminal and traffic-related cases in state district court. This level of remittance was set by the legislature in its session of 1994, with a legislative sunset provision that reduces the remittance level from \$9 to \$8 effective 7/1/98.

**JUSTIFICATION**

While the district court docket fee sunset provision (effective 7/1/98) was originally based upon projected funding needs for FY98 and beyond, KLETC has experienced a significant increase in the demand for mandated services since the legislative provision was passed by the Legislature in its 1994 session. KLETC is now aggressively addressing the ever-increasing demands that have been placed on the state's central law enforcement training center — demands which include, but are not limited to the following:

- *In the past four years KLETC has experienced a 50% increase in the number of municipal, county and state law enforcement officers being trained annually at its facilities near Yoder. In FY97 KLETC provided basic training to 460 officers in mandated programs, compared to 306 in FY94. In terms of the number of officers trained, FY97 was a record year. That trend continues in FY98.*
- *In August, 1995 (FY96) KLETC increased the basic training class size from 56 to 78 student-officers, an increase of 39% or 22 officers per class. This resulted in an additional 110 officers being trained annually.*

*SWM  
2/18/98  
Attachment 5-1*

**Kansas Law Enforcement Training Center  
Justification For Repealing Sunset Provision  
1998 Legislative Session – S.B. 530**

- *Expenditures associated with training 110 additional law enforcement officers annually have increased KLETC's operational costs significantly. As an example:*
  - *Food service costs have increased by \$39,054 annually.*
  - *Training materials, laundry, first aid/CPR, training-related supplies and emergency vehicle driver training costs have increased by almost \$20,000 annually.*

Several major factors have played a significant role in the increased demand for KLETC services and training programs. Since February, 1995, Kansas has experienced a 16% increase in the number of full-time law enforcement officers employed by municipal, county and state agencies. Another significant factor is law enforcement officer turnover. A 1996 examination of KLETC central registry employment records revealed that between FY90 and FY96, 464 of 1,920 KLETC graduates during this seven year period (almost 1 out of every 4 officers) terminated their employment prior to the date this research was conducted. This figure does not include annual resignations or retirements of veteran law enforcement officers statewide, which also contributes to employment turnover.

- *In FY98 KLETC received University approval to add two police instructor positions to address the significant class size increase. These two additional instructors will help decrease the instructor to student-officer ratio during hands on and scenario-based training — training that is extremely critical in today's police training environment. Two additional police instructors represent a minimum salary and benefit commitment of \$85,000 annually.*
- *In addition to the increased demand for basic training programs, in early 1996, KLETC began developing and delivering distance learning continuing education programs to the Kansas law enforcement community via Telenet 2, a desktop video conferencing system with 32 sites throughout the state. Today, after completing 33 Telenet 2 deliveries, with program enrollments exceeding just over 1,500 officers, Kansas law enforcement agencies have found a cost effective and convenient manner for their officers to receive law enforcement continuing education. 85% of the officers attending KLETC's distance learning programs want more training using this distance learning technology. Providing a minimum twenty-four 2-hour programs annually requires an annual commitment of \$16,800 from KLETC's operations fund. Budget permitting, additional Telenet 2 programs will be delivered at an average cost of \$700 for each 2-hour delivery.*
- *The Kansas Law Enforcement Training Commission, a 12-member regulatory commission created by the Legislature and appointed by the Governor to oversee law enforcement training and certification, has requested authority to employ its own full-time investigator in FY98. Complaints against law enforcement officers continue to increase.*
- *Construction phase 3, KLETC's new 32,500 square foot, 4-story dormitory was completed in late September, 1997. Construction and renovation of phases 4-5 will be completed in late spring or early summer, 1998. Adequate funding is necessary to address the ever-increasing utilities and operational costs associated with these buildings.*



**Kansas Law Enforcement Training Center  
Justification For Repealing Sunset Provision  
1998 Legislative Session – S.B. 530**

- *KLETC must immediately purchase and/or replace much-needed emergency vehicle driver-trainer vehicles and other training-related equipment.*

For the past several years KLETC has saved much-needed operational funds to ensure that adequate funding was in place for all legislative-approved construction and renovation phases (*phases 1-5*). As a result, staff postponed the purchase and/or replacement of operations-related equipment and technologically-advanced law enforcement training equipment. Nationwide civil liability trends and judicial case law concerns (*relative to law enforcement training*) dictate that KLETC must provide adequate, contemporary law enforcement training in accordance with nationally-recognized and accepted police training standards. Failure to have equipment or programs necessary to properly train officers due to inadequate funding is not a defense to lawsuits. And lawsuits against law enforcement agencies and their officers have increased dramatically during this decade.

In order to operate KLETC's new, modern facilities, and to provide the training equipment and support necessary to train today's contemporary law enforcement officers, and to address the demands associated with the significant and substantial increase in the number of officers being training annually at KLETC, adequate funding must be available. Indeed, as outlined in this document, the increased demand for KLETC services and increased annual operating expenses justify retaining the \$1 docket fee beginning 7/1/98. Public safety demands a well-trained law enforcement officer and the citizens of Kansas deserve it.

The following governmental units and professional law enforcement associations support KLETC's effort to retain the \$9 district court docket fee remittance level, supporting a 1998 legislative amendment to K.S.A. 20-362(e) which repeals the sunset provision that reduces the remittance level to \$8 effective 7/1/98.

- Kansas Peace Officers' Association
- Kansas Sheriffs' Association
- Kansas Association of Chiefs of Police
- Kansas Board of Regents/The University of Kansas
- Kansas County and District Attorneys Association
- Kansas Law Enforcement Training Commission
- Johnson County Police Chiefs Association



S W & M  
2/18/98

Attachment 5-3



**What Kansas law enforcement administrators are saying  
about 1998 Senate Bill No. 530 -- KLETC's effort to retain the  
present \$9 District Court Docket Fee Remittance Level . . . . .**

**Michael O. Hall, Chief, Pittsburg Police Department**

*. . . . . "As one who is a proud graduate of the Kansas Law Enforcement Training Center and now Police Chief in Pittsburg, I enthusiastically endorse KLETC and its effort to remove the District Court docket fee sunset provision. With KLETC's continued support, at present levels, we will keep on providing quality law enforcement to Kansas".*

**Fred Allenbrand, Sheriff, Johnson County Sheriff's Department, Olathe**

*. . . . . "The current (\$9.00) docket fee should be maintained because of the increased number of officers that the Kansas Law Enforcement Training Center is training. Recent federal funding to add more officers on the streets of Kansas communities will place a strain on the resources of the Kansas Law Enforcement Training Center if the legislature fails to amend K.S.A. 20-362(e). Kansas law enforcement agencies and the citizens they serve can ill afford a training crisis."*

**Dean Forster, Chief, Topeka Police Department**

*. . . . . "We are confident we share the concerns of other agencies should the sunset provision in K.S.A. 20-362(e) go into effect this July. Without continued adequate funding, we fear the recognized quality of your institution and the services it provides to Kansas agencies, officers and citizens will decrease. The citizens of Kansas cannot afford this risk."*

**Mike Hill, Sheriff, Sedgwick County Sheriff's Department, Wichita**

*. . . . . "Sedgwick County Sheriff Staff is aware of the increased demands being placed on KLETC since the Legislature enacted the sunset provision in its 1994 Session. We recognize that adequate funding is both critical and necessary to ensure the quality of training being provided at your facilities near Yoder and at other sites across the state of Kansas. The Sedgwick County Sheriff's Department unequivocally supports your legislative efforts to retain the present \$9.00 District Court Docket Fee."*

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2/18/98*

*Attachment 6-1*

**Ellen Hanson, Chief, Lenexa Police Department**

..... "Through my contacts with KLETC and the Kansas Police Chief's Association I am aware of the growing demand for service for the training provided by your organization. In order to continue to meet the demands placed on KLETC by the law enforcement agencies of Kansas, and thereby to provide quality law enforcement to this State, I believe the sunset provision should be removed and the funding remain at the \$9.00 level.

**John M. Douglass, Chief, Overland Park Police Department**

..... "We believe the \$9 remittance level is necessary to continue the progressive, comprehensive training programs currently being provided to law enforcement by the Kansas Law Enforcement Training Center."

**Loren Anderson, Sheriff, Douglas County Sheriff's Department, Lawrence**

..... "In recent years increases in funding has provided the center with the ability to get officers trained in a timely fashion. The earlier training date and increases in numbers of schools and numbers of students has been extremely helpful to us in law enforcement. I strongly recommend passage of the amendment to continue this funding level.

**Larry Dobbs, Chief, Winfield Police Department**

..... "The training KLETC provides for our officers is vital in helping to maintain the high quality of law enforcement that our communities expect. I strongly support the current \$9 court docket funding for KLETC."

**Glen Kochanowski, Sheriff, Saline County Sheriff's Department, Salina**

..... "If we lose any of the services provided by KLETC through the loss of funds, law enforcement across this state suffers. I support KLETC's effort to repeal the sunset provision in order to retain the present \$9 District Court Docket Fee."

**Dick Heitschmidt, Chief, Hutchinson Police Department**

..... "Demands of local agencies on KLETC have, and will continue to expand. As this happens, the fiscal needs of KLETC will also grow. I want to voice my support for the repeal of the Sunset Provision on the court docket fees (K.S.A. 20-362)."

**Loren Youngers, Sheriff, Morton County Sheriff's Department, Elkhart**

..... "It is through resourceful training that we stay abreast. The Kansas Law Enforcement Training Center is continually trying to keep available the needed training for Kansas law enforcement officers. I would like to lend my support to retaining the current District Court docket fee level."

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Attachment 6-2



**Larry Welch, Director, Kansas Bureau of Investigation**

..... "We're aware that over the past 4 years KLETC has experienced a significant increase in the demand for services they are mandated to provide. We strongly support KLETC's effort to repeal the District Court docket fee sunset provision."

**Alvan D. Johnson, Director, Riley County Police Department, Manhattan**

..... "At present the sunset provision of the statute will result in a decrease in the amount of each docket fee that goes to fund KLETC. Law enforcement is one of the first and most basic, necessary governmental services provided in this country. I support the repeal of the sunset provision of K.S.A. 20-362(e)."

**William (Mike) Watson, Chief, Wichita Police Department**

..... "I have recently learned that the Kansas Law Enforcement Training Center may experience a decrease in funding as a result of the 1994 legislated sunset provision on the KLETC district court remittance level. I have been very pleased with the services rendered by KLETC and I am supportive of KLETC retaining the district court (per court transaction) fee at the \$9.00 level."

**Janet Harrington, Sheriff, Elk County Sheriff's Office, Howard**

..... "It has always been my opinion that KLETC cannot be surpassed by any other law enforcement training center in the United States. By keeping the funding as it is KLETC will be able to continue to give quality training and in turn have quality law enforcement officers graduate from the training center."

**Ron Pickman, Chief, Goodland Police Department**

..... "In order to continue receiving the timely and quality training we have gotten use to, I believe it is imperative KLETC retain the level of funding necessary to maintain these standards. I wholeheartedly support the removal of the sunset provision contained in K.S.A. 20-362(e) which allows docket fee funding to remain at the \$9.00 level as it has been since July 1, 1994."

**Lonnie McCollum, Superintendent, Kansas Highway Patrol**

..... "Without adequate funding to address the ever-increasing demands being placed on KLETC, we fear that the quality of your programs will suffer. Law enforcement in Kansas cannot afford this risk. Therefore, the Kansas Highway Patrol supports the passage of 1998 Senate Bill No. 530 to address your funding needs."

S w+m  
2/18/98

Attachment 6-3

STATE OF KANSAS  
LAW ENFORCEMENT TRAINING COMMISSION

P. O. Box 632  
Hutchinson KS 67504-0632

Senator Dave Kerr, Chairman  
Senate Ways and Means Committee

Mr. Chairman and Members of the committee,

Thank you for your time and consideration concerning SB 530. First some brief background. For several years the Kansas Law Enforcement Training Center (KLETC) has received funding from District and Municipal Court Docket Fees. The money generated by this fee system, established by the Legislature, was intended for the expansion and future growth of the facility.

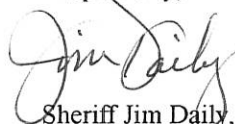
Since the authorization for fee collection, KLETC Administration and it's staff have worked diligently to achieve this expansion and it's mission. The new Administration and classroom building have been in use for sometime now, and the dormitory and dining hall were opened last year.

Funds generated by these fees have also made it possible for the facilities to meet the federal mandate concerning ADA, and soon the next stage will be complete, and final touches be put on the finest most modern training facility in the state. These facilities will be at the disposal of all Law Enforcement agencies for use. Their vision of "Providing comprehensive, progressive, quality training and support for Kansas Law Enforcement," is being realized.

Federal grant money has enabled small agencies to create new, and desperately needed, Law Enforcement Officer positions. This has mandated KLETC, to provide training for this growing number of officers, by expanding the number of student officers per class, thus putting an additional financial burden on an already diminishing amount of funds.

With the amount of money already authorized by the Legislature, KLETC has been able to keep up. We, the Kansas Law Enforcement Training Commission, are asking the Legislature to continue the funding as it currently is authorized, and to remove the July 1st, 1998 sunset provision. This will allow for continued progress and the needs of the Kansas Law Enforcement community to be met. Thank you for your time and consideration.

Respectfully,



Sheriff Jim Daily, Member  
Kansas Law Enforcement Training Commission

Bill Graves, *Governor*

Darrell Wilson, *Chairperson*

Larry Welch, *Director*  
*Kansas Bureau of Investigation*

Col. Lonnie McCollum, *Supt.*  
*Kansas Highway Patrol*

Sheriff James Garrison  
*Stanton County*

Sheriff James Daily  
*Barton County*

Sheriff Larry Leslie  
*Reno County*

Lt. Brett Cloutier  
*Topeka Police Training Academy*

Glenn R. Trapp  
*Douglas Cty. District Atty. Office*

Chief Lee Doehring  
*Leavenworth Police Department*

Chief Ray Classen  
*North Newton Police Department*

Chief Ron Pickman  
*Goodland Police Department*

Capt. Allen Bachelor  
*Kansas Highway Patrol*

Kyle Smith, *Asst. Atty. General*  
*Commission Counsel*

*Ex Officio:*  
Ed H. Pavey  
*Director of Police Training*

S w+m  
2/18/98  
Attachment 7

LOREN C. ANDERSON  
SHERIFF



DON SCHWARTZ  
UNDERSHERIFF

111 EAST 11th  
LAWRENCE, KANSAS 66044  
PHONE (913) 841-0007

February 18, 1998

TO: SENATE JUDICIARY COMMITTEE

Last fall, Ed Pavey contacted me to ask if I and the KSA would support retaining the current \$9.00 docket fee. I told him sure it would be easy to support, and I couldn't think of anyone who wouldn't.

As chairman of our legislative committee, we voted unanimously to support SB530. Since December 1997, the director has taken every opportunity to lobby and ensure we understand the situation and the importance of retaining this \$1.00. Everyone knows we are using the money appropriately, and we can't do without it.

Sunday night, thinking about the tasks of a legislator and funding being one of the major tasks, I realized the importance of your hearing from those involved with the product of your funding and KLETC.

The KLETC has provided uniformity in training throughout the state of Kansas. The number of officers mandated to attend training continues to increase each year. Historically, law enforcement agencies have had to wait months or even a year before sending an officer to the academy. In recent years, this time frame has been significantly shortened. The need for continuing officer training has never been greater than it is at this time.

Current law enforcement officers must stay abreast of changes in the criminal justice system. KLETC consistently provides the opportunity to be informed through their various seminars and workshops presented throughout the year.

Reducing the level of funding would have a direct effect on the quality of law enforcement statewide. The need for the current level of funding is even more critical now than it was when it was granted in 1994.

*Loren C. Anderson*

Loren C. Anderson, Chairman  
Kansas Sheriffs Association Legislative Committee

*S w+m  
2/18/98*

*Attachment 8*



SHAWNEE POLICE DEPARTMENT  
6535 Quivira  
Shawnee, Kansas 66216  
Thomas K. Hayselden  
Chief of Police  
Phone: (913) 631-2155 FAX: (913) 631-6389



February 18, 1998

TESTIMONY IN SUPPORT OF SENATE BILL NO. 530:  
RETAINING KLETC'S PRESENT DISTRICT COURT  
FUNDING LEVEL

Senator Kerr, and Committee members, I am Thomas Hayselden, police chief for the City of Shawnee, Kansas. I come before you as a representative of the Kansas Association of Chiefs of Police, which I am the legislative chair, the Johnson County Police Chiefs Association and the Shawnee, Kansas Police Department.

For all the law enforcement officers throughout the State of Kansas, thank you for your foresight in requiring that all commissioned law enforcement officers be certified and trained under the direction and guidelines of the Kansas Law Enforcement Training Center, a division of continuing education of the University of Kansas.

On my office wall there is only one certificate in a black border frame. This certificate is notice to all that are interested that I am a member of the State of Kansas Law Enforcement Community and have the authority to arrest and collect evidence of a crime against the state. This, together with my city commission, is an awesome responsibility and trust that future candidates of law enforcement will face.

This responsibility comes from good training on police ethics, safety, public relations, knowledge of law and proper arrest procedures. This training takes time and money. We make the time and continue to look for additional funding for this excellent training we receive through KLETC. We as chiefs of police, find the same problem in our cities that the cost of good training is always on the increase.

In Director Paevy's testimony, he mentioned that there has been a 50% increase in officers being trained. This is a sign of the times, that Kansas is growing in population. Many of the small departments must participate in the in-service training offered by KLETC to maintain the mandated 40 hours training of personnel. Without this in-service training there would be no officers on the street. All this training and certification is at no cost to the Kansas taxpayer. This is one of the few programs that is supported by its customers.

KLETC continues to meet and at times exceeds the law enforcement community's expectations. The Kansas Association of Chiefs of Police, the Johnson County Chiefs of Police and the City of Shawnee Police Department are strongly in support of this Bill No. 530, and urge the Committee to support the same.

Thank you.

*T. Hayselden*  
*2/18/98*  
*Attachment 9*





**ROELAND PARK POLICE DEPARTMENT**  
4600 WEST 51st STREET ROELAND PARK, KANSAS 66205  
FRANK DENNING, CHIEF OF POLICE

**TESTIMONY IN SUPPORT OF AMENDING K.S.A. 20-362(e) THE DISTRICT COURT DOCKET FEE SUNSET PROVISION**

1. CHAIR DAVE KERR  
MEMBERS OF THE SENATE WAYS AND MEANS COMMITTEE
2. FRANK DENNING, CHIEF OF POLICE, ROELAND PARK, KANSAS, APPEARING ON BEHALF OF THE KANSAS PEACE OFFICERS ASSOCIATION. I AM CURRENTLY THE PRESIDENT OF KPOA FOR 1998.
3. IT IS MY PLEASURE TO COME BEFORE YOU TO OFFER TESTIMONY IN SUPPORT OF THE AMENDMENT TO K.S.A. 20-362(e).
4. MY BACKGROUND INCLUDES MORE THAN 28 YEARS OF EXPERIENCE IN LAW ENFORCEMENT, WITH TWELVE YEARS OF THAT EXPERIENCE INVOLVED IN TRAINING OF LAW ENFORCEMENT OFFICERS ALONG WITH BEING A MANAGER AND ADMINISTRATOR IN LAW ENFORCEMENT.

LADIES AND GENTLEMAN

5. A REQUEST TO AMEND K.S.A. 20-362(e) HAS BEEN INTRODUCED THAT WOULD RETAIN THE \$9.00 DOCKET FEE ASSESSMENT THAT IS DUE TO EXPIRE 07-01-98. THIS CURRENT REMITTANCE LEVEL WILL BE REDUCED BY \$1.00 ON 07-01-98.
6. KANSAS PEACE OFFICERS VIEW THIS ASSESSMENT VITAL TO THE CONTINUED EFFORTS TO MAINTAIN HIGHLY

*S w+7m  
2/18/98  
Attachment 10-1*

SKILLED AND PROFESSIONAL TRAINING THAT IS EXPECTED FROM THE KANSAS LAW ENFORCEMENT TRAINING CENTER STAFF.

7. INSTRUCTOR-CANDIDATE CONTACT AT BASIC TRAINING LEVELS ENSURES THE NEW OFFICER OF THE NEEDED KNOWLEDGE NECESSARY TO FUNCTION AT PROFESSIONAL LEVELS AVOIDING LITIGATION. IT IS NECESSARY TO MAINTAIN THE COMPLIMENT OF INSTRUCTORS CURRENTLY EMPLOYED AT KLETC.
8. THE PROFESSIONAL STANDARDS AND ETHICS OF TODAY'S POLICE OFFICERS ARE NOT ONLY DEMANDED BUT EXPECTED FROM THE JUDICIARY AND THE CITIZENS THAT WE SERVE.
9. TRAINING AIDS; EQUIPMENT, COMPUTERIZATION, AND CONTINUED GROWTH ARE CURRENTLY PLAYING AN INTEGRAL PART OF SUSTAINING THE HIGH STANDARDS AT KLETC. THIS CONTINUED FUNDING IS VITAL TO MEET ALL OF THESE ON-GOING NEEDS AS WELL AS MEETING THE FUTURE DEMANDS ON TRAINING MORE OFFICERS THAN IN PAST YEARS. IT IS CRITICAL TO MEETING THE FUTURE GROWTH NEEDS AND DAILY OPERATING EXPENSES AT KLETC.
10. AS A CHIEF OF POLICE FOR A SMALL AGENCY, I RELY ON KLETC TO ENSURE PROPER TRAINING STAFF AND STATE OF THE ART EQUIPMENT NECESSARY TO EDUCATE AND PREPARE NEW OFFICERS FOR SERVICE IN THEIR COMMUNITIES. BASED ON THIS PHILOSOPHY IT IS MY OPINION THAT THIS DOCKET FEE SHOULD CONTINUE IN IT'S PRESENT FORM.

#### IN SUMMATION

11. THE KANSAS PEACE OFFICERS ASSOCIATION, HAVING THE LARGEST MEMBERSHIP IN THE STATE OF KANSAS, IS STRONGLY SUPPORTING THIS AMENDMENT TO K.S.A. 20-

*S w + m  
2/18/98*

*Attachment 10-2*

362(e). I STRONGLY URGE YOU TO SUPPORT KLETC AND KANSAS LAW ENFORCEMENT BY AGREEING TO THIS PROPOSED AMENDMENT. IT IS IMPORTANT TO THE CITIZENS OF THIS GREAT STATE TO EXPECT ONLY THE BEST FROM THE LAW ENFORCEMENT COMMUNITY.

12. AS A CHIEF OF POLICE, PRESIDENT OF THE KPOA AND FORMER POLICE INSTRUCTOR PLEASE VOTE FOR THIS AMENDMENT.

THANK YOU FOR YOUR TIME. I WOULD BE HAPPY TO ANSWER ANY QUESTIONS REGARDING THIS ISSUE.

S w4m  
2/18/98

Attachment 10-3

Law Offices of  
**RYAN, CONDRAY and WENGER, LLC**

*Michael W. Ryan   Scott R. Condray   James D. Wenger*

509 Court St.  
P.O. Box 205  
Clay Center, KS 67432  
785-632-5666  
Fax 785-632-6524

812 Washington  
P.O. Box 407  
Concordia, KS 66901  
785-243-1357  
Fax 785-243-1359

104 E. Iron  
P.O. Box 2237  
Salina, KS 67402  
785-825-8666  
Fax 785-827-2270

*Please Reply to Concordia Office*

January 26, 1998

**COPY**

Representative Phil Kline  
State Capitol  
Room 514-S  
Topeka, KS 66612-1504

Re: House Bill 2613

Dear Mr. Kline:

I am the attorney for C.A.R.E.S., Inc., and it is my Title Company that has worked on the title insurance for the real estate transaction between C.A.R.E.S., Inc., and the Unified School District 333 of Concordia, Kansas. I have worked with Joann Freeborn regarding the information for the House Bill 2613. I will try to explain to you what the problem is concerning this real estate located in Concordia, Kansas:

1. On September 19, 1877, there is a Patent from the United States of America to Milton Reasoner which includes the real estate in question. A copy of this Patent is enclosed as Exhibit "A".
2. On February 10, 1875, there is a Deed from Milton Reasoner, Mayor of the City of Concordia, to the School District No. 4, which conveys the real estate in question. A copy of this Deed is enclosed as Exhibit "B".
3. On March 5, 1874, there is a Deed from School District Number Four to the State of Kansas conveying the real estate in question. A copy of this Deed is enclosed as Exhibit "C".
4. On September 16, 1996, Unified School District No. 333, quitclaimed all of their interest on the real estate in question and other real estate to C.A.R.E.S., Inc. A copy of this Deed is enclosed as Exhibit "D".

The problem is the Deed to the State of Kansas, referred to in Paragraph No. 3 above and attached as Exhibit "C". The best we can


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determine, is that the State of Kansas never took possession of the property and has never claimed or used any interest in this property. The real estate was used for a school until the school was closed and the property was deeded to C.A.R.E.S., Inc., in 1996.

All we are requesting, is for the State to issue a QuitClaim Deed to C.A.R.E.S., Inc., stating that the State of Kansas has no interest in this property and that whatever interest the State of Kansas appears to have, it is relinquishing to C.A.R.E.S., Inc.

Please let me know if you have any questions or need any further information concerning this matter.

Sincerely,

  
Scott R. Condray  
Attorney at Law

SRC/js  
enc. Exhibit A, B, C, & D  
pc: Joann Freeborn  
C.A.R.E.S., Inc.



The United States of America.

To all to whom these Presents shall come, greeting:

Certificates  
Nos 1080 and 1638

Whereas, R. E. Allen and Milton Reasoner Mayors of the City of Concordia, in Cloud County, Kansas, in trust for the several uses and benefits of the occupants of the aforesaid City of Concordia in said County and State, according to their respective interests, by virtue of the Act of Congress of the 2<sup>d</sup> of March, 1867, entitled "An Act for the relief of the inhabitants of Cities and Towns upon the Public Lands" and the Act of Congress of the 3<sup>d</sup> of March, 1871, entitled "An Act respecting the limits of Reservations for Town sites upon the Public Domain" have deposited in the General Land Office of the United States, Certificates of the Register of the Land Office at Concordia, Kansas whereby it appears that full Payment has been made by the said R. E. Allen and Milton Reasoner Mayors as aforesaid, in trust as aforesaid according to the provisions of the Act of Congress of the 24<sup>th</sup> of April, 1820, entitled "An Act making further provision for the sale of the public lands," for the South East quarter of the South West quarter of the South West quarter of the South East quarter, the South East quarter of the South East quarter and the South West quarter of the South West quarter of Section thirty-three in Township five South, and the North half of the North West quarter, or the lot numbered two of the North West quarter, the North half of the South East quarter, the North half of the South West quarter, the South West West quarter of the North West quarter, or the West half of the lot numbered one of the North West quarter, and the lots numbered one and two, or the fractional North East quarter of section four, in Township six South, of Range three West, in the district of lands subject to sale at Concordia Kansas, containing five hundred and fifteen acres and fifteen hundredths of an acre, according to the official Plat of the survey of the said lands returned to the General Land Office by the Surveyor General, which said tracts have been purchased by the said R. E. Allen and Milton Reasoner, Mayors as aforesaid, Now know ye, that the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents, do give and grant, unto the said R. E. Allen and Milton Reasoner Mayors as aforesaid in trust as aforesaid and to their successors the said tracts above described; To Have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto the said R. E. Allen and Milton Reasoner Mayors as aforesaid in trust as aforesaid and to their successors and assigns, in trust as aforesaid, the Testimony Whereof, I, Rutherford B. Hayes, President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed. Given under my hand, at the City of Washington the nineteenth day of September in the year of our Lord one thousand eight hundred and seventy seven and of the Independence of the United States the One hundred and second. By the President: R. B. Hayes

(Seal of the General Land Office)

By R. L. Lang, Secretary.

S. W. Clark, Recorder of the General Land Office

Recorded Vol 2 Page 273

State of Kansas, Cloud County, ss. I hereby certify that the instrument of which the above is a true copy, was filed for record on the 12<sup>th</sup> day of October 1877 @ 9:10 a.m. S W+M

Milton Reasoner, Register of Deeds 2/18/98  
Cloud Co., KS Attachment 11-3

This Indenture, Made this Tenth day of February in the year of our Lord One Thousand Eight Hundred and Seventy five by and between Milton Reamer, Mayor of the City of Concordia in the County of Cloud and State of Kansas, as Trustee, for the several use and benefit of the occupants and inhabitants of said City of Concordia, party of the first part, and the Board of Directors of School dist no. 4, in the County of Cloud and State of Kansas, party of the second part;

Witnesseth, that the said party of the first part, for and in consideration of the sum of One Dollar to him duly paid, the receipt of which is hereby acknowledged has sold, and by these presents does grant, bargain, sell, convey, and confirm unto the said party of the second part, their Successors and assigns forever, all that tract or parcel of land, lying and situated in the City of Concordia in the County of Cloud and State of Kansas, and described as follows, to wit: Lots Eight nine, ten, eleven, twelve and thirteen in Block No. One hundred and twelve (8-9-10-11-12-13-14-15) in the City of Concordia, as indicated by the plat of said City now on file in the office of Register of Deeds of said County

And the said Mayor of the City of Concordia, party of the first, doth covenant and agree that at the time of the sealing and delivery of these presents he, as such Trustee, is the original grantor of the above described premises, and seized of a good and indefeasible estate in fee simple absolute, and has good right, full and lawful authority, to grant, sell, and convey the same, and the said party of the second part, their Successors and assigns, shall peaceably and quietly hold and occupy the above granted premises without molestation or disturbance, and the said party of the first part will Warrant, and Defend, the same in the quiet and peaceable possession of the said party of the second part, their Successors and assigns forever..... In Testimony Whereof, I have herewith subscribed my name and caused to be affixed the seal of said City

Done at the City of Concordia, this Tenth day of February, A.D. 1875

Attest: W. B. Reid Clerk, City of Concordia Milton Reamer, Mayor of the City of Concordia  
 State of Kansas, County of Cloud ss. Be it Remembered, that on this Tenth day of February, A.D. 1875 before me a Clerk of the District Court in and said County and State, came Milton Reamer Mayor of the City of Concordia, and me personally known to be the same person who executed the foregoing instrument, and duly acknowledged the execution of the same. In Testimony Whereof, I have herewith subscribed my name and affixed my official seal, on the day and year last above written.  
 Cornelius Hostetter Clerk of Dist Court Cloud County Kansas

State of Kansas, Cloud County ss. This instrument was filed for record on the 11th day of February 1875 at 10 o'clock A.M. and duly recorded.

Growliff, Register of Deeds  
 Entered in Transfer record in my office this 11th day of February A.D. 1875

SW + m  
 2/18/98

Attachment 11-4



This Indenture, Made this Fifth day of March in the year of our Lord one thousand eight hundred and Seventy Four between School District Number Four of Lincoln Township, County of Cloud and State of Kansas of the first part, and the State of Kansas

of the second part. Witnesseth That the said party of the first part, in consideration of the sum of One Dollars, to it duly paid, has bargained and sold, and by these presents does grant and convey to the said party of the second part and assigns, all that tract or parcel of land, situated in Cloud County and State of Kansas, and described as follows, to-wit: Lots Eight (8) Nine (9) Ten (10) Eleven (11) Twelve (12) and Thirteen (13) in Block Numbered one Hundred and Twelve (112) in the City of Concordia in said County and State, as the same is shown and designated on the recorded plat of said City of Concordia

with the appurtenances, and all the estate, title and interest, of the said part of the first part therein. And the said Party of the first part does hereby covenant and agree, that at the delivery hereof it is the lawful owner of the premises above granted, and seized of a good and indefeasible estate of inheritance therein, in fee simple, and that the same are free and clear of all incumbrances, and that it will WARRANT AND DEFEND the same in the quiet and peaceable possession of said part of the second part, heirs and assigns forever, against the lawful claims of all persons whomsoever.

In Witness Whereof, The said party of the first part has hereunto set its hand and seal the day and year above written. N. E. Smith Director and Clerk Milton DeGarnes Clerk

Heard and Delivered in the Presence of O. F. Robinson

STATE OF KANSAS, County of Cloud

On this Fifth day of March A. D. 1874, before me, a Clerk of the District Court in and for said County, personally came Milton DeGarnes and N. E. Smith

to me personally known to be the same persons whose names are affixed to the foregoing conveyance as grantors and each duly acknowledged the execution of the same.

District Court Cloud Co Kansas

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last above written. W. E. Reid Clerk District Court

The Instrument, of which the foregoing is a true copy, was filed for record on the 23rd day of April 1875, at 9 o'clock and minutes A. M., stamped with U. S. Revenue \$ properly canceled. Milton DeGarnes Register of Deeds.

5 W + M 2/18/98 Attachment 11-5



PO Box 314  
1100 Highland Drive, Rm 300  
Concordia, KS 66901-0314

1-785-243-1077  
1-800-243-1077  
FAX 1-785-243-1079



Sarah Holbert, CEO

Sandy Nutsch, Adult Services  
Director

Beth Kemp, Apprentice Trainer

Geralyn Strait, Accounting

**Kansas Senate  
Ways & Means Committee**

**February 18, 1998**

**To the Chairman and Members of the Committee:**

CARES, Inc. is a not-for-profit corporation located in Concordia, Kansas. As a center for independent living, the staff of CARES oversees several programs that provide services to residents of North Central Kansas. Some of those programs are reimbursable services provided in consumers homes through monies made available by Social Rehabilitation Services for care and/or training of persons on the PD Waiver, HI Waiver, MR\DD Waiver and through the Area Agencies on Aging for services to the elderly.

A program that is available nationwide, is the Canine Assistance Program. CARES trains and places service dogs, signal dogs, emotional support dogs and seizure alert dogs to persons who qualify. CARES encourages persons of all ages, including children, and all disabilities, including persons with traumatic brain injury and multiple disabilities, to apply for dogs.

In September 1996, CARES was given possession of an elementary school building that was donated to the corporation by USD 333. The goal is to use the 2 ½ story building as a regional office building for those non-profit organizations providing services to persons primarily in North Central Kansas, such as the Family Resource Center, Lutheran Social Services, Kansas Children's Service League, CARES, etc.

The written requests for grants from numerous foundations which will provide for the financial support to renovate and make the building totally accessible are almost complete and other donations are being solicited. However, a barrier has been the ability to obtain a clear title for the property. We ask that the Kansas Legislature approve the changing of the title to CARES, Inc. In order that we can continue with our goal of renovating this building and making it an asset to the people of North Central Kansas and CARES, Inc.

Sincerely,

Sarah Holbert, CEO and the CARES, Inc. Board of Directors

S W+M  
2/18/98  
Attachment 12