

MEMORANDUM

To: John Kirk, Division of the Budget
From: Scott M. Schultz, Executive Director
Date: January 13, 2021
Re: Prison Bed Impact Assessment, **SB 6 – Counting any crime with a domestic violence designation as a prior conviction under domestic battery.**

IMPACT ASSESSMENT

- This bill **may** have an impact on prison admissions and bed space, but it cannot be determined at this time.
- This bill **may** have an impact on the workload of the Commission, but it cannot be determined at this time.

SUMMARY OF THE BILL

Section 1. K.S.A. 21-5414 is amended to change the domestic battery definition of “conviction” as used in the section to include any conviction that includes the domestic violence designation pursuant to K.S.A. 2020 Supp. 22-4616, and amendments thereto.

FINDINGS

- According to KSSC data, in FY 2020, there were **223** convictions for violation of K.S.A. **21-5414**.
 - **41** convictions for Domestic Battery, K.S.A. 21-5414(a)
 - All nongrid felonies
 - **182** convictions for Aggravated Domestic Battery, K.S.A. 21-5414(b)
 - **164** severity level 7, person felonies
 - **18** severity level 9, person felonies
- Of those convictions:
 - **38** – sentenced to prison;
 - **12** – sentenced to county jail; and
 - **173** – sentenced to probation
- This bill only addresses the determination of whether a conviction is a first, second, third, or subsequent conviction by allowing the state to use previous convictions that include a domestic violence designation pursuant to K.S.A. 2020 Supp. 22-4616.

- Thus, it **may** have an impact on prison admissions and prison bed space, but it cannot be determined.

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