

House Concurrent Resolution No. 5002

By Joint Committee on Corrections and Juvenile Justice Oversight

1-9

A CONCURRENT RESOLUTION declaring that the Kansas Legislature shall refrain from passing any amendments to the Kansas Sentencing Guidelines Act and the Juvenile Offender Placement Matrix relating to sentencing or placement during calendar year 2001 and that thoughtful consideration be given to any changes in the future.

WHEREAS, The Kansas Sentencing Guidelines Act was implemented on July 1, 1993; and

WHEREAS, The underlying goals of the Kansas Sentencing Guidelines Act were based on the premise that longer sentences should be imposed for violent, chronic offenders and that nonviolent offenders be punished appropriately within the community, thus protecting the public safety while maximizing limited state resources; and

WHEREAS, Numerous changes have been made to the Kansas Sentencing Guidelines Grid since enactment including increasing and decreasing the length of sentences, creating or reclassifying crimes and increasing the severity level of a crime; and

WHEREAS, There have been at least three major modifications to the Sentencing Guidelines Grid itself and at least 65 other changes to the criminal code which have increased correctional utilization needs since original enactment of the Grid; and

WHEREAS, Some sentence lengths have been more than tripled since the original Sentencing Guidelines Grid was enacted; and

WHEREAS, Such increases in sentence lengths have long-term impacts on correctional resource needs since sentence lengths have a direct correlation with the increase in the number of prison beds required in future years; and

WHEREAS, The Juvenile Offender Placement Matrix became effective on July 1, 1999; and

WHEREAS, The Juvenile Offender Placement Matrix was enacted to bring uniformity and clarity to the process of committing juveniles to the juvenile correctional facilities; and

WHEREAS, The Juvenile Offender Placement Matrix was enacted to bring enhanced accountability under the Juvenile Justice Reform Act by requiring juveniles who commit violent acts to be placed in juvenile cor-

1 rectional facilities while juveniles who commit nonviolent acts would be
2 effectively supervised in the community unless they possess a specific
3 prior record; and

4 WHEREAS, The short time in which the Juvenile Offender Place-
5 ment Matrix has been in effect necessitates a thoughtful and careful anal-
6 ysis of any potential changes or amendments to the Juvenile Offender
7 Placement Matrix to avoid some of the same uncertainty and unpredict-
8 ability of results that has beset the Kansas Sentencing Guidelines Grid;
9 and

10 WHEREAS, The danger of constant and continual changes and mod-
11 ifications to the grid or the matrix is that the underlying policy becomes
12 ineffective and threatened, and it becomes difficult, if not impossible, to
13 evaluate whether a policy is effective; and

14 WHEREAS, Although no one change has threatened or would
15 threaten the integrity of the grid or the matrix, the cumulative effect of
16 the various changes is of great concern since the impact of such changes
17 is not realized either fiscally or operationally until some point in the fu-
18 ture; and

19 WHEREAS, The development of a valid and reliable data base to
20 monitor and analyze sentencing and placement issues is dependent on a
21 constant and unchanging grid and matrix. Such consistency would allow
22 for a comprehensive review and analysis of sentencing and placement
23 trends and issues: Now, therefore,

24 *Be it resolved by the House of Representatives of the State of Kansas,*
25 *the Senate concurring therein:* That we declare that the Kansas Legis-
26 lature shall not pass any amendments to the Kansas Sentencing Guide-
27 lines Act nor the Juvenile Offender Placement Matrix during calendar
28 year 2001 and that thoughtful consideration be given to any proposed
29 changes in the future.

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