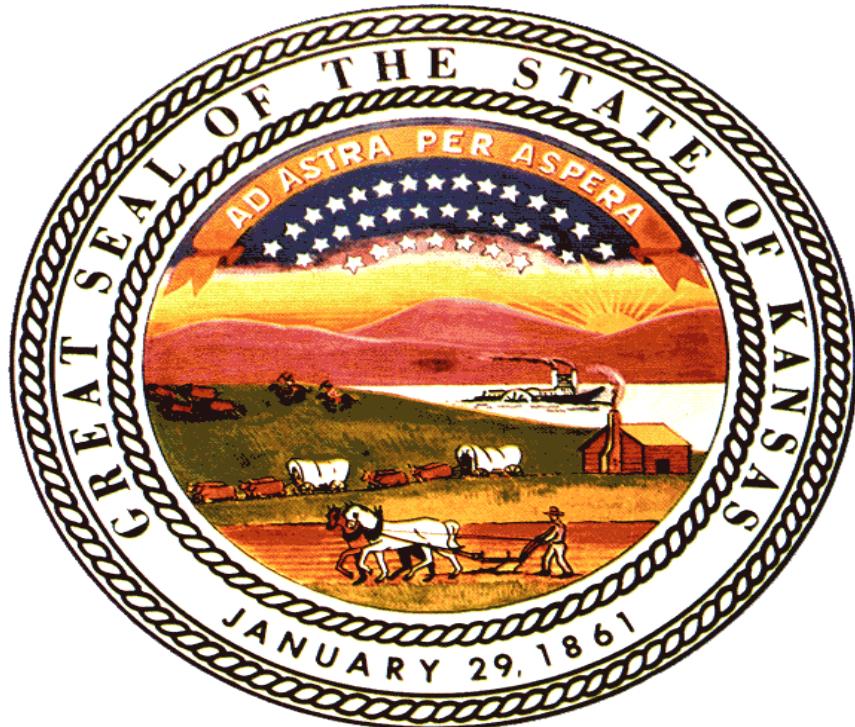


Narrative Information—DA 400

Division of the Budget

Agency KANSAS SENTENCING COMMISSION



Kansas Sentencing Commission
Fiscal Year 2026 & Fiscal Year 2027

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Agency Mission

To develop monitoring procedures and reporting methods to evaluate the guideline sentencing system where public safety is the focus; to advise and consult in developing mechanisms to link sentencing practices with correctional resources and policies; and to determine the impact of guidelines on the state's prison population. Agency resources are devoted to this mission at the direction of the Commission.

Agency Philosophy

The philosophy of the Kansas Sentencing Commission is that criminal sentences should be imposed fairly, rationally, and consistently, and that incarceration should be reserved for the most serious offenders. The Kansas Sentencing Commission is a service-oriented agency whose primary product is statistically generated analysis used to inform policy decision-making in an environment focused on providing and sustaining public safety. As such, the Commission strives to ensure that valid, reliable information is accessible to all customers. Those customers include but are not limited to varying levels of government in the State of Kansas within all three branches of government, local units, and the public. Agency resources are directed by the Commission to achieve the agency's mission.

Programs that Assist with Agency Mission

Research, Statistical Analysis, and Administration – Promulgating the Sentencing Guidelines; assessing, monitoring, and reporting of the impact of the Sentencing Guidelines to state policymakers and the Kansas Legislature.

Alternative Sentencing Policy for Non-Violent Drug Possession Offenders: [K.S.A. 21-6824 \(SB 123\)](#) and [K.S.A. 21-6825 \(RAFT\)](#) – Implementation, administration, and evaluation of the prison alternative, mandatory drug treatment sentencing and diversion programs for non-violent drug possession offenders.

Major Milestones and Highlights

The following list shows highlights of legislation and court rulings that affect the work of the agency or the implementation/operation of agency programs. This list is not inclusive.

- FY 1989 SB 50 passed the legislature during the 1989 session. Created the Kansas Sentencing Commission (KSC) and directed the Commission to develop a sentencing guideline model or grid-based upon fairness and equity, and to provide a mechanism for linking justice and corrections policies.
- FY 1993 SB 423 passed the legislature during the 1993 session. Kansas Sentencing Guidelines Act was enacted into law, which incorporated both the sentencing guideline system and the substantive changes to the criminal code that correlates with the guidelines.
- FY 1995 The Sentencing Commission redesigned the Felony Journal Entry form from a prose document to more of a data collection document to standardize the collection of reliable and valid data statewide. The Agency also developed its initial statewide sentencing database to be used for analysis of sentencing data and the development of prison population projections.
- FY 1996 The Legislature authorized funding for the acquisition of the PROPHET Simulation Model, an interactive microcomputer software system designed by the National Council on Crime and Delinquency. The Sentencing Commission releases its first ten-year prison population forecast and began providing prison bed impacts on proposed criminal justice legislation.
- FY 1997 HB 2900 passed the legislature during the 1997 session. Directed KSC to conduct state youth center's population projections as part of the needs study commissioned by the Youth Authority. Those juvenile correctional facility projections served as part of the basis for the implementation of the state's Juvenile Justice Reform Act.
- FY 1999 The PROPHET Projection model was expanded to allow for projections by institutional offender classification levels and further assist the Department of Corrections in capacity planning.

FY 2000 SB 149 passed the legislature during the 1999 session. The legislation contained major changes in the Sentencing Guidelines by modifying sentence lengths by individual severity levels and reclassification of felonies to misdemeanor status. These changes required the statewide sentencing database to be expanded to reflect the new sentence lengths and include reclassification of various criminal offenses.

FY 2001 SB 323 passed the legislature during the 2000 session. This piece of legislation contained the most significant changes since its enactment. The bill contained changes to periods of postrelease supervision, periods of probation, placement in community corrections, and a full retroactivity provision. Passage of the legislation resulted in extensive reprogramming of the PROPHET projection software and modification of the statewide database to accommodate the changes enacted, especially the retroactivity provision.

The Commission hosted the Eighth Annual Conference of National Association of Sentencing Commissions in which 113 conference participants discussed topics from various criminal justice perspectives. The major topics addressed at the conference: Changing Correctional Populations, the Media and Sentencing, the Impact of Sentencing Policy, Pathways to Rational Sentencing, Trends in Drug Growth and Patterns, Research Priorities of Various Sentencing Commissions, and Federal Funding Updates.

FY 2002 The Drug Policy Subcommittee was established to determine an alternative sentencing policy for offenders convicted of drug possession that focuses on treatment rather than incarceration; thus reserving state prison beds for serious violent offenders.

FY 2003 SB123 passed the legislature during the 2003 session. This bill focused on: the establishment of a mandatory treatment sanctions (non-prison) for drug possession and retains drug possessions as drug grid severity level 4 rather than enhancing severity levels for subsequent possession convictions. These changes require changes to the journal entry of conviction as well as the journal entry of probation and journal entry probation revocation. Associated changes were made to the PROPHET projection model.

FY 2004 A critical piece of work in FY 2004 was the implementation of the requirements of SB 123 Alternative Sentencing Policy for drug possessions. Included as one part of this Implementation is the treatment bill-paying process, which the commission staff have been asked to assume. Work is ongoing in this area presently. The payment system process involves many facets of accounting and tracking as the generating warrants (checks) going to approximately 164 treatment providers in payment for SB 123 services.

FY 2005 SB 45 created the Kansas Criminal Justice Recodification, Rehabilitation, and Restoration project. With the passage of SB 45, the executive director and other staff members of the Kansas Sentencing Commission attended meetings and provided support services as needed.

FY 2006 S Sub HB 2576, Sec. 21 expands the duties of the Sentencing Commission to: (17) develop information relating to the number of offenders on post-release supervision and subject to electronic monitoring for the duration of the person's natural life and (18) determine the effect the mandatory sentencing for child sex crimes (Jessica's law) would have on the number of offenders civilly committed to a treatment facility as a sexually violent predator.

FY 2007 House Substitute for Senate Bill 14, passed during the 2007 legislative session, initiated a community corrections grant program to reduce probation revocation rates by at least 20% from FY 2006, modified some good time rates, and provided potential good time credit for program completion. The bill also established the Kansas Criminal Code Recodification Commission, of which the Kansas Sentencing Commission appointed its member as the Honorable Larry Solomon. KSC Chair Honorable Ernest Johnson served on the Reentry Policy Council. The executive director served on the Reentry Policy Council Steering Committee. KSC staff served on task forces to this committee. The agency provides information to all these groups. The KSC formed a journal entry subcommittee to review and recommend changes to the journal entries of sentencing and probation revocation. The KSC also formed a proportionality subcommittee to recommend changes to sentencing laws and severity levels.

FY 2008 Senate Bill 411 provided an extension of the Johnson County Level of Services Inventory-Revised (LSI-R) pilot program, which in turn extended the statewide implementation date to July 1, 2010.

House Bill 2707 reduced the pool of offenders who might qualify for the SB 123 program to first or second felony possession conviction and created a substance abuse policy board of which the Kansas Sentencing Commission is a member.

A Kansas Supreme Court decision *State v. Holt* set probation at 12 months rather than the original 18 months for SB 123 offenses.

The Kansas Supreme Court also rendered a decision *In the Matter of L.M.* indicating that juveniles have a constitutional right to a jury trial. The potential result of this decision is a further court decision that adult criminal history should not contain any juvenile criminal history unless the juvenile criminal history was adjudicated either in a jury trial or where a jury trial was knowingly and intelligently waived. Any juvenile adjudication taking place before this court decision could be stricken from an offender's criminal

history. That would result in offenders with less criminal history and therefore either prison sentences of shorter duration or probation sentences where prison sentences may have been presumed before this decision.

FY 2009 House Bill 2060 extended the standard probation term to 18 months for SB 123 cases.

Senate Substitute for House Bill 2096 established the Kansas DUI Commission, of which the Kansas Sentencing Commission is a member.

State v. Casey: Casey was sentenced to prison under K.S.A. 21-4603d(f)(3) as possession of cocaine offense occurred while he was on felony bond. Based on the legislative history of SB 123, part of which became K.S.A. 21-4729 and K.S.A. 21-4603d(n), and the rules of statutory construction, it was determined that the legislature intended for the drug abuse treatment sanction outlined in K.S.A. 21-4603d(n) and K.S.A. 21-4729 trumps the prison sanction outlined in K.S.A. 21-4603d(f)(3). The court reversed Casey's sentence and remanded Casey for resentencing to certified drug abuse treatment in accordance with K.S.A. 21-4603d(n) and K.S.A. 21-4729.

FY 2010 Senate Bill 368 extended the deadline to July 1, 2011, for the DUI Commission recommendations.

House Bill 2581 increased probation supervision fees to fund training and implementation for the use of a risk needs assessment tool. The implementation date is January 1, 2011.

The commission added to the Journal Entry of Judgment under court costs and fee section the selection of \$300 that is applied to all SB 123 court case sentences. (\$300 is the minimum to be collected for assessment and treatment)

FY 2011 *State v. Perry-Coutcher:* A conviction for an attempt to commit a crime under K.S.A. 21-3301 is not covered in K.S.A. 21-4729. District court erred in ordering Perry-Coutcher to complete mandatory drug treatment under K.S.A. 21-4729.

FY 2012 SB 60 required the Sentencing Commission to specify a standardized risk assessment tool to be used for evaluating the risks and needs of all offenders subject to supervision in Kansas.

FY 2013 S Sub for Sub HB 2318, added a new fifth level to the drug sentencing grid, two new border boxes on the drug grid for severity levels 5C and 5D that are eligible for SB 123 drug treatment programming based upon an offender's risk needs and substance abuse assessment scores.

FY 2014 HB 2170 made numerous changes to sentencing, probation, and postrelease supervision statutes. In 2014, the Commission requested, and the Legislature passed Senate Substitute for HB 2448. It provides further clarification for the 2013 HB 2170 justice reinvestment legislation and now includes misdemeanors when imposing short jail stays of 2-3 days in a county jail for technical violations of probation. The Commission also fulfilled its 2013 mandate by establishing risk and needs assessment cutoff scores and probation supervision levels for court services and community correctional services after commissioning and analyzing a study that was completed at the end of the fiscal year.

FY 2015 The Legislature passed legislation to strengthen evidence-based initiatives that the Commission proposed. HB 2051 provided increasing good time credit from 15% to 20% for severity level 3 drug offenders and increased the incentive for inmates to complete vocational, behavioral health, and cognitive treatments by increasing the number of programming credit days they may receive from 60 to 90 days. The bill also provided a continued move to risk-based placement in community corrections supervision rather than simply relying on criminal history and the severity of the offense.

FY 2016 The Commission recommended and the Legislature passed HB 2462, which:

- 1) Amended criminal code provisions governing possession of marijuana, theft, and burglary. Specifically, the bill amended penalties for possession of marijuana so that a first offense became a class B nonperson misdemeanor, a second offense is a class A nonperson misdemeanor rather than a felony, and a subsequent offense became a drug severity level 5 felony.
- 2) Amended the crime of theft to increase the felony threshold for a severity level 9, nonperson felony theft of property or services from \$1,000 to \$1,500.
- 3) established a floor of \$50 for the exception raising the severity level to a severity level 9, nonperson felony when the person committing the theft had been convicted of theft 2 or more times, and added a 5-year lookback provision to this exception
- 4) Created a special sentencing rule for burglary of a dwelling to make the sentence presumptive imprisonment if the offender had a criminal history score of 7C (one previous person felony and one previous nonperson felony), 7D (one previous person

felony), or 7E (three or more nonperson felonies). The bill adjusted the penalty provisions for burglary of a dwelling with intent to commit the theft of a firearm to make it a person felony, rather than a nonperson felony. The bill amended the definition and penalties for aggravated burglary to make aggravated burglary committed by entering into or remaining in a dwelling in which there is a human being, with the required intent, a severity level 4, person felony. Entering into a non-dwelling building or structure in which there is a human being, with the required intent, remains a severity level 5, person felony.

5) established that the crimes of burglary and aggravated burglary do not apply to a person who enters or remains in retail or commercial premises, while such premises are open to the public, after having been told by the owner or manager not to enter the premises pursuant to the criminal trespass statute, except when the person enters or remains in such premises with the intent to commit a person felony or a sexually motivated crime.

FY 2017 The Legislature passed at the Commission's request HB 2092, which amended law related to decay of juvenile adjudications by establishing criteria that included a five-year crime-free gap period between an underlying conviction and certain prior juvenile adjudications. If the criteria are met, those applicable adjudications are not counted for criminal history purposes.

FY 2018 HB 2458 was passed in the 2018 legislative session, providing for drug offender sentencing reform. The Commission introduced part of the bill to expand the 2013 SB 123 drug treatment program to include certain severity level 4 drug offenders. The statute for a second time conviction for possession of tetrahydrocannabinol (THC), the active ingredient in marijuana, was also amended from a severity level 5 felony to a class A misdemeanor. Similarly, first-time offenders are now guilty of a class B misdemeanor rather than a class A misdemeanor. These penalties are now consistent with possession of marijuana.

FY 2019 In 2019, the Legislature passed SB 18, which expands eligibility for the nonprison sanction of placement in a certified drug abuse treatment program, commonly referred to as 2003 SB 123, to include offenders convicted of severity level 4E-4I drug offenses. These are convictions for the cultivation or distribution of a controlled substance. The bill also amends the authorized dispositions statute in the Kansas Criminal Code to remove the ability of the sentencing court to specifically withhold authority from supervising court services or community corrections officers to impose certain probation violation sanctions of confinement in a county jail for a two-day or three-day period. The bill further amends the statute governing probation violations to remove violation sanctions allowing the court to remand the defendant to the custody of the Secretary of Corrections for periods of 120 days or 180 days.

FY 2020 During the year, the Executive Director served as a member of the newly formed Kansas Criminal Justice Reform Commission. He also was an active participant in three subcommittees established by this commission. These were Sentencing/Proportionality, Mental Health/Substance Abuse, and Data Management.

FY2021 The 2021 Legislature passed HB 2026 to expand the 2003 SB 123 drug treatment program to allow certain persons who have entered into a diversion agreement pursuant to a memorandum of understanding to receive treatment in certified drug abuse treatment programs. The bill further amends law allowing SB 123 cases to be fully transferred from one jurisdiction to another. Statutes governing the establishment of probation supervision thresholds were also amended to allow the Sentencing Commission to determine criteria for placement with community corrections, court services and participation the SB 123 and diversion substance abuse treatment programs. Lastly, the bill lowers the criminal penalty for misdemeanors and felony unlawfully tampering with electronic monitoring equipment.

FY2022 In 2022, the Legislature passed SB 366 to create a mechanism to seek relief from the Kansas Offender Registration Act (KORA) for certain drug offenders. The bill allows a drug offender to file a verified petition for relief from registration requirements if the offender has registered for a period of at least five years after parole, discharge, release, conviction, or adjudication. SB 408 amends the definition of the crime of theft to make theft of property that is mail of value of less than \$1,500 from three separate locations within a period of 72 hours as part of the same act or transaction, or in two or more acts or transactions connected or constituting parts of a common scheme or course of conduct, a severity level 9 nonperson felony. The bill also provides guidance for the consolidation of supervision into one supervision entity or agency for an offender under the supervision of two or more supervision entities or agencies. The bill amends the statute governing transfer of supervision of persons on parole, on probation, assigned to a community correctional services program, or under suspended sentence to allow the district court to transfer jurisdiction of the defendant to a different district court or retain the jurisdiction. HB 2377 creates, and amends law related to operating an aircraft under the influence, driving under the influence (DUI), diversions, and commercial driver's licenses. The bill increases the penalty for a third or subsequent conviction of DUI from a non-grid, nonperson felony to a severity level 6 nonperson felony.

FY2023 In 2023, the Legislature passed Senate Substitute for HB 2010 expanding 2003 SB 123 substance abuse treatment eligibility for certain nonviolent offenders convicted of nondrug, nonperson felony crimes.

Kansas Sentencing Commission Membership

The membership of the Kansas Sentencing Commission is statutorily defined in [K.S.A. 74-9102\(a\)](#) and comprises 17 members. The Commission membership includes:

- 4 Chief Justice of the Kansas Supreme Court appointees;
- 4 Legislative appointees – two each from the Senate and House;
- 6 Governor's appointees; and
- 3 Statutorily appointed members.

The Commission's membership provides input from various perspectives and areas of the criminal justice arena, allowing for the development of balanced and rational sentencing and criminal justice policies.

Current Commission Membership

Chief Justice – Kansas Supreme Court Appointments (4)

Honorable Benjamin J. Sexton	Chairperson, District Judge	Abilene, KS
Honorable Stacey Donovan	Vice Chairperson, District Judge	Lawrence, KS
Honorable Stephen D. Hill	Kansas Court of Appeals	Topeka, KS
Spence Koehn	Office of Judicial Administration	Topeka, KS

Legislative Appointments (4)

Senator Kellie Warren	Majority / Senate	Leawood, KS
Senator David B. Haley	Minority / Senate	Kansas City, KS
Representative Bob Lewis	Majority / House	Garden City, KS
Representative Tobias Schlingensiepen	Minority / House	Topeka, KS

Governor Appointments (6)

Mark Dupree	District Attorney	Kansas City, KS
Pat Colloton	Public Member	Leawood, KS
Jermaine Wilson	Public Member	Leavenworth, KS
Dustin Curry	Private Counsel	Lawrence, KS
Pam Weigand	Community Corrections	Lawrence, KS
Jessica Glendenning	Public Defender	Lawrence, KS

Statutorily Appointed Members (3)

Sec. Jefferey Zmuda	Secretary of Department of Corrections	Topeka, KS
Mark Keating	Kansas Prisoner Review Board	Topeka, KS
Jessica G. Domme	Attorney General's Office Designee	Topeka, KS

Overview of Sentencing Commission Activities

Research, Statistical Analysis and Administration

The agency staff carries out the work of the Commission and provides valid, reliable information to the Governor, Legislature, and other parties. In addition to the administrative functions of the agency, several other types of activities are performed, including:

- providing criminal justice information to the Legislature, Department of Corrections, the Governor, lobbying groups, and members of the public
- tracking sentence impositions across the state
- projecting male and female, adult, probation, and incarcerated populations
- assessing Legislative impacts on male, female and adult bed space
- identifying annual sentencing trends
- considering and recommending options to reduce the prison population when capacity will be reached within two years

Alternative Sentencing Policy for Non-Violent Drug Possession Offenders (SB 123 & RAFT)

K.S.A. 21-6824 (SB 123) was created during the 2003 legislative session. Under community corrections supervision, SB 123 provides certified substance abuse treatment for offenders convicted of K.S.A. 21-5706 (drug possession) and severity level 4E-4I drug offenders convicted of K.S.A. 21-5705 (distribution), who are non-violent adult offenders with no prior convictions of drug trafficking, drug manufacturing or drug possession with intent to sell.

In 2021, HB 2026, codified in K.S.A. 21-6825, was passed to provide substance abuse treatment to persons charged with felony drug possession offenses (K.S.A. 21-5706). This program was named the Recovery from Addiction Funded Treatment (RAFT) program in 2022. It functions procedurally like the SB 123 program, but payments to treatment providers occur at the diversion rather than the post-conviction level.

In 2023, S Sub for HB 2010, codified in K.S.A. 21-6824, was passed to expand the reach of SB 123 to certain nondrug, nonperson felony offenders to receive substance abuse treatment. Narrative references to this expanded treatment will also be cited as SB 123.

The Kansas Sentencing Commission provides administration, monitoring, evaluation, payment services, publications, and informational meetings for the SB 123 and RAFT programs.

Agency Programs

The Sentencing Commission is a comparatively small state agency with two distinct areas of responsibility. The agency's two programs reflect that dichotomy and include Research, Statistical Analysis and Administration, and the Alternative Sentencing Policy for Non-Violent Drug Possession Offenders (SB 123 & RAFT).

Through the Research, Statistical Analysis and Administration program, the agency provides:

- data and information on sentencing to criminal justice professionals throughout the state and researchers in other states
- fiscal impacts to the Legislature, Governor and others upon request
- annual adult prison population projections to the Department of Corrections, the Governor and Legislature
- reference manuals of current sentencing guidelines to criminal justice professionals
- information and direction to substance abuse treatment providers and corrections officers throughout the state

The research section of the agency provides information and analysis regarding the criminal justice system throughout the state. The agency provides prison population projections on which the Department of Corrections makes budget decisions as to expanding facilities, which involves the use of taxes as a part of the state's resources. The Sentencing Commission is also required to present alternatives to state officials when the prison population will exceed capacity within two years.

The Alternative Sentencing Policy for Non-Violent Drug Possession Offenders (SB 123 & RAFT) program provides:

- payments to more than 120 substance abuse treatment providers throughout the state
- training and technical assistance to court services, community corrections, and substance abuse treatment providers
- collection of offender reimbursements for remittal to the State General Fund

The agency's SB 123 & RAFT program staff provide payment services to substance abuse treatment providers and collects offender reimbursement. Staff also communicate continually with program stakeholders. SB 123 and RAFT presentations are conducted to provide information to treatment providers and community corrections officers and offer a forum for exchange.

The knowledge, skill, and experience of the staff in both areas provide reliable information to stakeholders throughout the state and nation. The agency can operate these functions at a low-cost ratio. The cost of operation for SB 123 and RAFT program is presently 6%.

As previously stated, the Kansas Sentencing Commission operates under two program areas, although many of the agency's operational functions are under the umbrella of Program area 01031, and operational expenditures incurred as the centralized payment center of SB 123 and RAFT substance abuse treatment programs are processed under program 01032 in the statewide financial management system, commonly known as SMART.

Program area 01031 includes administrative functions, operational responsibilities, sentencing guideline monitoring, prison population projections, provision of data, and analysis of legislation. The staff also evaluates selected criminal justice programs. The agency's operational function is included in this program area.

Program area 01032 serves as the centralized payment center for drug abuse treatment services associated with the alternative sentencing policy for non-violent drug possession offenders. Under this program area, the agency also provides administrative functions, training, and has the responsibility for evaluating the alternative sentencing policy.

Agency Overview

Human Resource Strategies:

The goal of the agency is to maintain a workforce comprised of motivated and skilled analysts, finance and accounting staff, and others such that the work of the Commission is advanced. The Sentencing Commission is comprised of 16 staff members, 13.5 unclassified FTE positions and 2.5 non-FTE unclassified permanent positions.

The agency's goals and objectives depend solely on the knowledge, skills, experience, and abilities of its staff to provide services to the criminal justice system in the state of Kansas. The staff utilizes various data to formulate statistically based information that provides input into decisions impacting the criminal justice system.

The staff directly serves as a resource to its customers, which include Department of Corrections, Legislature, Division of the Budget, Governor's Office, U.S. Bureau of Justice Statistics, and others requesting information and analysis.

Information Technology (IT) Infrastructure:

The agency must maintain IT capacity and an IT infrastructure such that the analytic work of the agency can be completed with efficiency and validity. The work of the agency is dependent on several specialized programs. The utilization of a relational database system allows for automation to process annually over 39,500 payments. Computer replacement, software updates, and system maintenance are vital to the goals of this agency. Plans have been implemented such that data, the agency's primary raw asset, is protected by redundant server capacity, use of a SQL platform for containment and management of expanding database systems, and a recovery plan in the event of a disaster. The agency utilizes the services of an IT consultant and OITS Small Agency Support to define and implement IT applications, security, and hardware.

Statistical Analysis Center (SAC):

The Kansas Sentencing Commission serves as the state's designated Statistical Analysis Center (SAC) for criminal justice analyses (statistically based or analytically driven). This is a designation placed on the Commission by the U.S. Department of Justice – Bureau of Justice Statistics. It requires the Commission to analyze programs and data in a scientifically reliable fashion and to share the results of such analyses with other criminal justice entities across the United States.

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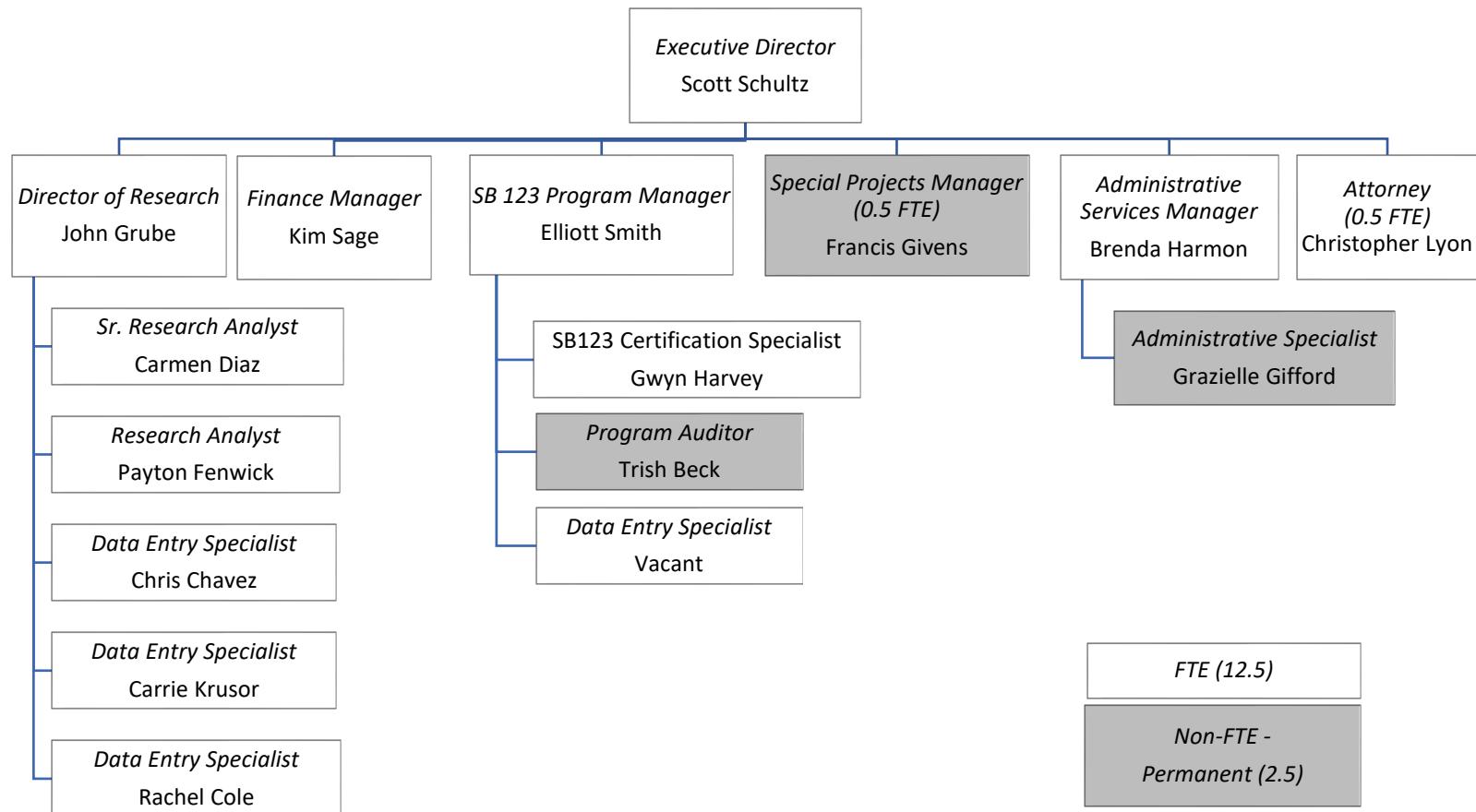
Division of the Budget

Agency KANSAS SENTENCING COMMISSION

Additional Items:

The Commission provides support in the implementation process for statewide use of risk needs assessment tools by probation officers. Commission members, the Executive Director, and staff members also participate in various policy commissions, steering committees, and taskforces that consider criminal justice issues. In the past, a commission member served on the Substance Abuse Policy Board under the Kansas Criminal Justice Coordinating Council. The Executive Director has served on the Reentry Steering Committee, the Kansas Criminal Justice Information Systems Board, and the Kansas Criminal Justice Reform Commission.

Agency Organization



Current Year Information

In FY 2026, the agency completed development of the electronic journal entry application known as the Kansas Sentencing Application (KSApp). This cloud-based database is being used statewide by probation officers, prosecutors, defense attorneys, and judges to process felony sentencing journal entries, rather than using the paper forms maintained by the Commission. The agency expects to complete the integration of KSApp with the Office of Judicial Administration's eFlex case management system by the end of 2025.

Expenditures for the SB 123 & RAFT program have increased because of the 2021 passage of K.S.A. 21-6825, commonly referred to as RAFT and the expanded SB 123 legislation of 2023 S Sub for HB 2010, codified in K.S.A. 21-6824. Administration of the RAFT program was given to the KSSC, but no funding has been provided. The expanded SB 123 legislation and appropriation of \$1.8 million for new offender treatment went into effect July 1, 2023. However, due to the nature of the program, the agency estimates that full implementation of the new law statewide may take up to three years. To accommodate statutory treatment provider certification requirement responsibilities that were transferred from KDOC several years ago, a new IT workflow initiative to automate the SB 123 program's provider certifications and client assessment processes is being developed by the vendor, Softdocs. This cloud-based database will allow treatment providers to interact with the agency more efficiently.

FY 2026 Expenditure Justification:

The following tables show the status of the FY 2026 budget request by program, object, and funding sources.

FY 2026 State General Fund					
Program	FY 2026	Reappropriation	Lapses	Total Approved	
Administration*	\$ 1,471,700	\$ 203,318	\$ 49,276	\$ 1,625,742	
SB 123 Drug Treatment	\$ 11,964,231	\$ 2,401,924	\$ -	\$ 14,366,155	
Total Approved:	\$ 13,435,931	\$ 2,605,242	\$ 49,276	\$ 15,991,897	

**Admin incl off hosp*

FY 2026 Expenditures by Program and Funding Source

Program	State General Fund	General Fees Fund*	Federal Fund	Total
Administration	\$ 1,625,742	\$ 725	\$ -	\$ 1,626,467
SB 123 Drug Treatment	\$ 14,366,155	\$ -	\$ -	\$ 14,366,155
Total:	<u>\$ 15,991,897</u>	<u>\$ 725</u>	<u>\$ -</u>	<u>\$ 15,992,622</u>

*Includes non-expense items for sales tax remittance on the sale of Desk Reference Manuals

FY 2026 Expenditures by Major Object and Funding Source

Major Object	State General Fund	General Fees Fund	Federal Fund	Total
Salaries and Wages	\$ 1,412,561	\$ -	\$ -	\$ 1,412,561
Contractual Services	\$ 822,646	\$ 625	\$ -	\$ 823,271
Commodities	\$ 13,482	\$ -	\$ -	\$ 13,482
Capital Outlay	\$ 133,364	\$ -	\$ -	\$ 133,364
Non-expense	\$ -	\$ 100	\$ -	\$ 100
Other Assistance	\$ 13,609,844	\$ -	\$ -	\$ 13,609,844
Total:	<u>\$ 15,991,897</u>	<u>\$ 725</u>	<u>\$ -</u>	<u>\$ 15,992,622</u>

Salaries and Wages:

Current Year FY 2026 – Salaries and benefits are calculated for all agency staff and paid Commission members. The 1.0 FTE Data Entry Specialist position is currently vacant.

Contractual Services:

Current Year FY 2026 – The agency anticipates continuing multi-year contracts with vendors Carelon Behavioral Health to maintain the SB 123 provider payment system and with Domo, Inc. to maintain the electronic Journal Entry system, known as the Kansas Sentencing Application (KSApp).

To meet statutory treatment provider certification requirements transferred from KDOC years ago, a new IT workflow initiative is being developed to automate the SB 123 program's provider certifications and client assessments. Vendor, Softdocs, is creating a cloud-based database that will enable treatment providers to interact with the agency more efficiently and ensure the accuracy of certifications for substance use treatment providers caring for SB 123 offenders.

There is an increase in in-state travel due to SB 123 staff performing treatment provider audits, training and recruitment. These audits provide increased accountability for the treatment dollars spent on the SB 123 program.

The agency received a federal grant from the U.S. Department of Justice for felony sentencing data enhancement in the KSApp for the state FY 2025. Procurement and contractual approvals were completed in June 2025, and the agency finalized the federal draw for \$37,800 in July 2025.

Commodities:

Current Year FY 2026 –The estimated expenditures are primarily office and professional supplies necessary for the ongoing administration of agency functions.

Capital Outlay:

Current Year FY 2026 – In March 2025, the development of the eJournal Entry Project software was completed. It was renamed the Kansas Sentencing Application (KSApp) and reclassified as a capital asset to start the amortization process. The KSApp had a soft launch in October 2025 and is now used statewide by probation officers, prosecutors, defense attorneys, and district court judges to process felony sentencing journal entries. The agency and stakeholders identified further development enhancements for the KSApp, and additional logic and efficiencies have been incorporated into the software since its launch. Future expenditures on this project will add new functionality, increase value, and extend the lifespan of the KSApp.

Hospitality:

Current Year FY 2026 – Hospitality has been increased to \$3,000 to cover costs for monthly meetings, subcommittee meetings, and an annual workshop lasting one or two days. Unlike many agencies, the KSSC holds monthly meetings to discuss and manage ongoing projects and initiatives. A consensus group and six subcommittees also meet to carry out the agency's business. The consensus group and subcommittees focus on specific areas, including policy development, program implementation, and stakeholder engagement. The increase will ensure that all meetings are adequately supported with necessary hospitality services, including refreshments and materials, to facilitate productive discussions and decision-making.

Other Assistance:

Current Year FY 2026 – \$13.6 million is estimated. This increased amount includes \$2.4 million in reappropriation. Recently, the agency increased the cost caps for substance use disorder treatment modalities, estimated at \$2.4 million. Raising provider cost caps is necessary to address rising healthcare costs. These caps limit the maximum charges providers can impose, helping keep costs manageable for both the state and providers. The adjustment will help maintain quality of care and ensure providers are fairly compensated. The program also needs to stay competitive with programs like the block grant regarding cost caps. Time to treatment will be affected if providers are unwilling to hold treatment beds for SB 123 offenders. Some of the modified modalities have not seen cost cap increases since the program began in 2003. The Commission recently approved Medication-Assisted Treatment (MAT) as an additional modality for offender treatment. Although not new to the treatment community, MAT is expected to improve the success of the SB 123 program by providing FDA-approved medication for opioid and alcohol treatment plans.

Non-Expense:

Current Year FY 2026 – \$100 is budgeted from the General Fees Fund to cover sales tax paid to the Department of Revenue for the sale of Desk Reference Manuals and other educational materials. After consulting with KDOR, the agency was authorized to file annual sales tax reports each January instead of submitting quarterly reports and payments. The negative balance accumulated since January 2025, along with new sales tax receipts received from July 1 through December 31, 2026, will be paid in January 2026 and annually thereafter.

Budget Years Information

FY 2027 Expenditure Justification:

The following tables show the status of the FY 2027 budget by program, object, and allocated funding sources.

FY 2027 State General Fund					
Program	FY 2026 Approved	Health Ins Rate Change	KPERS Rate Change	Total Allocation	
Administration	\$ 1,471,700	\$ 14,474	\$ (448)	\$ 1,485,726	
SB 123 Drug Treatment	\$ 11,964,231	\$ -	\$ -	\$ 11,964,231	
Total:	\$ 13,435,931	\$ 14,474	\$ (448)	\$ 13,449,957	

**Admin incl off hosp*

FY 2027 Expenditures by Program and Funding Source					
Program	State General Fund	General Fees		Federal Fund	Total
		Fund*	Federal Fund		
Administration	\$ 1,485,726	\$ 51,080	\$ -	\$ 1,536,806	
SB 123 Drug Treatment	\$ 11,964,231	\$ -	\$ -	\$ 11,964,231	
Total:	\$ 13,449,957	\$ 51,080	\$ -	\$ 13,501,037	

**Includes non-expense items for sales tax remittance on the sale of Desk Reference Manuals*

FY 2027 Expenditures by Major Object and Funding Source

Major Object	State General Fund		General Fees Fund		Federal Fund	Total
Salaries and Wages	\$ 1,429,545	\$ -	\$ -	\$ -	\$ -	\$ 1,429,545
Contractual Services	\$ 828,813	\$ 680	\$ -	\$ -	\$ -	\$ 829,493
Commodities	\$ 13,201	\$ -	\$ -	\$ -	\$ -	\$ 13,201
Capital Outlay	\$ 66,249	\$ 50,000	\$ -	\$ -	\$ -	\$ 116,249
Non-expense	\$ -	\$ 400	\$ -	\$ -	\$ -	\$ 400
Other Assistance	\$ 11,112,149	\$ -	\$ -	\$ -	\$ -	\$ 11,112,149
Total:	\$ 13,449,957	\$ 51,080	\$ -	\$ -	\$ -	\$ 13,501,037

Salaries and Wages:

Budget Year FY 2027 –Salaries and benefits are calculated for all agency staff, paid Commission members, and reflect the increase in health insurance rates and a lower KPERS rate.

Contractual Services:

Budget Year FY 2027 – Operating expenditures remain relatively stable. Further development services for the statewide KSApp are anticipated.

The agency anticipates continuing multi-year contracts with Carelon Behavioral Health to maintain the SB 123 provider payment system, and with Domo, Inc. to maintain the electronic Journal Entry system known as the Kansas Sentencing Application (KSApp). A 3% increase estimate was added for anticipated contractual renewals taking place in FY 2027.

A new three-year contract has also been signed with Softdocs, a software vendor. To meet statutory treatment provider certification responsibilities transferred from KDOC several years ago, a new IT workflow initiative is being developed to automate the SB 123 program's provider certifications and client assessment processes. Softdocs is creating a cloud-based database that will enable treatment providers to

interact with the agency more efficiently. It will also help ensure the accuracy of the certification of substance use treatment providers who serve SB 123 offenders.

As the SB 123 program continues its auditing program, increased in-state travel for treatment providers, on-site training, recruitment, and audits are planned.

Commodities:

Budget Year FY 2027 – Operating expenditures are projected to decrease slightly from FY 2026.

Capital Outlay:

Budget Year FY 2027 – Operating expenditures are projected to remain stable into FY 2027.

Hospitality:

Budget Year FY 2027 – Hospitality is \$3,000 to cover costs for monthly meetings, subcommittee meetings, and an annual workshop lasting one or two days. Unlike many agencies, the KSSC holds monthly meetings to discuss and manage ongoing projects and initiatives. A consensus group and six subcommittees also meet to conduct the agency's business. The consensus group and its subcommittees focus on specific areas, including policy development, program implementation, and stakeholder engagement. This ensures all meetings are adequately supported with necessary hospitality services, including refreshments and materials, to facilitate productive discussions and decision-making.

Other Assistance:

Budget Year FY 2027 – \$11.9 million is estimated. Increased reimbursement rates and the addition of MAT as a new SB 123 modality will raise treatment costs for offenders. RAFT participation continues to grow as prosecutors offer diversion program eligibility for drug offenders. Whether expenditures will increase remains unknown at this time. More time is needed to assess whether reimbursement rate increases and MAT funding will have a significant impact. The agency will monitor these developments monthly and decide if a supplemental request is necessary in the next budget cycle.

Non-Expense:

Budget Year FY 2027 – \$400 is budgeted from the General Fees Fund to pay sales tax to the Department of Revenue for the sale of Desk Reference Manuals and other educational materials.

2003 SB 123 & RAFT Drug Treatment Payments

Program Information

The alternative sentencing policy for non-violent drug possession offenders, or as it is more commonly known SB 123 program, was passed during the 2003 legislative session and implemented during FY 2004. The program is designed to divert non-violent drug possession and small sale offenders out of the prison population and requires state-funded drug treatment to reduce recidivism among this group of offenders.

The Sentencing Commission provides a centralized payment center, performs program administration in cooperation with KDOC, and provides evaluation functions for the SB 123/RAFT programs. The following information shows the expenditure history, current year estimate, and budget year estimate according to data compiled from the agency's payment database, the Treatment Provider Payment System (TPPS) and Carelon, the agency's bill payment vendor.

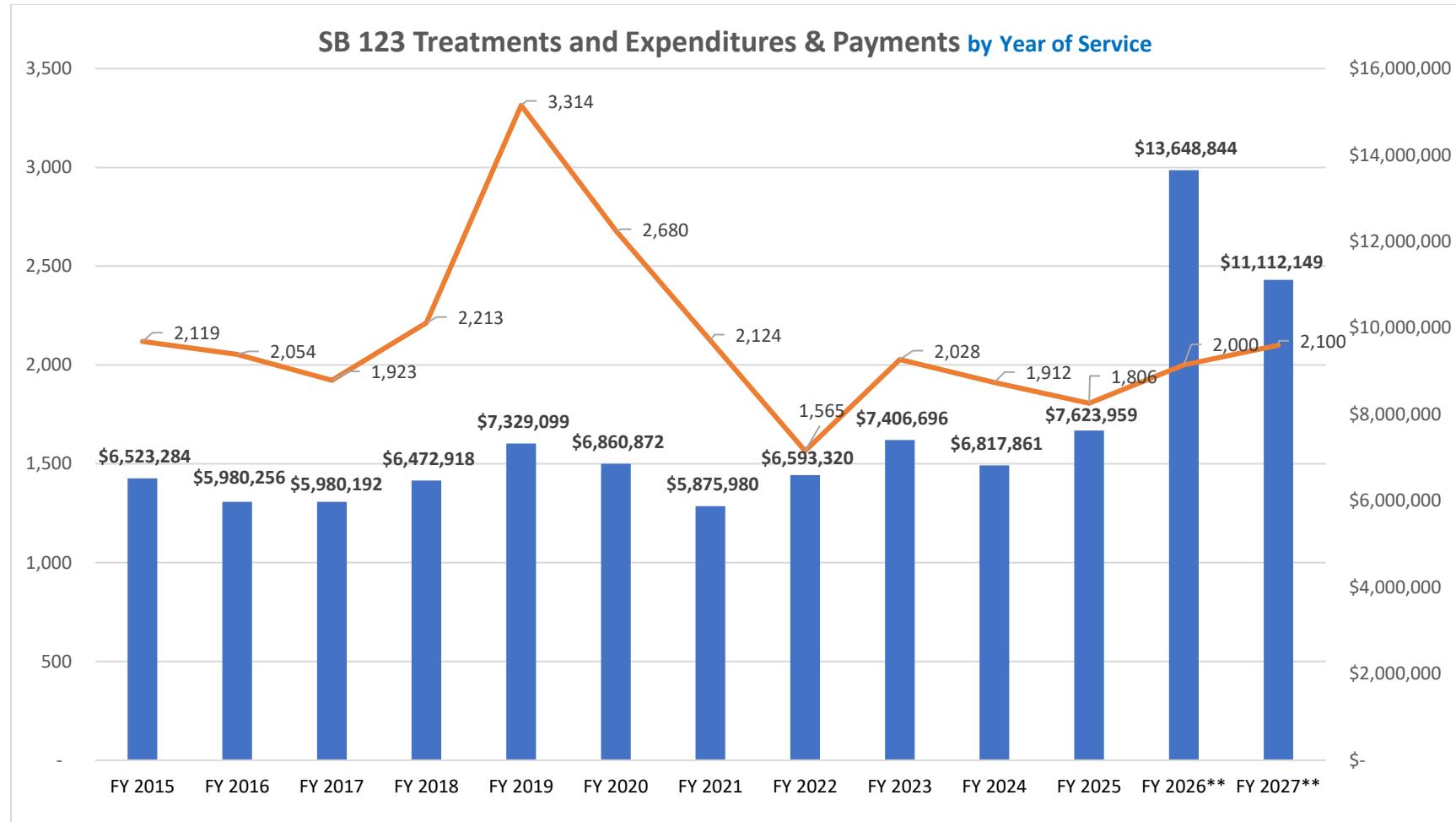
In FY 2024 the TPPS was retired, and the agency is handling the accounting internally and through Carelon.

Program Expenditure History

The SB 123 drug treatment program utilized approximately \$146.26 million between the beginning of the program in FY 2004 and FY 2025. Those funds have been used for the assessment and treatment of 31,477 offenders during that period. Annual cost averages are approximately \$4,221 per offender. It should be noted that some offenders receive treatment in multiple fiscal years so the recorded number of offenders receiving treatment does not necessarily match the actual number of individual persons who received treatment.

When compared to KDOC's FY 2024 average operating cost of \$40,238 per year/inmate to be incarcerated in state prison, one can see the effect the SB 123/RAFT programs have on the cost of effective public safety in the state of Kansas.

The following chart shows actual and estimated total expenditures and offenders since FY 2015.



**FY 2026 and 2027 amounts are estimates.

Population Projection and Forecasting – Goals, Objectives, and Performance

Sentencing Statewide Database: For every offender convicted of a felony offense, a sentencing journal entry is, by statute, completed and forwarded to the Sentencing Commission. The data contained in the sentencing journal entry serves as the basis for the statewide sentencing database that contains centralized sentencing data for all felony probation and prison sentences in Kansas. The development of this comprehensive database has enabled the state to identify sentencing trends, including both intended and unintended changes in sentencing patterns, as well as the impact of legislative changes to the Kansas Sentencing Guidelines Act (KSGA). This database also provides the basis for reliable research on sentencing issues, enabling timely responses to ongoing data requests for policy development.

PROGRAM GOAL:

To facilitate efficient and effective use of state resources and promote public safety by providing accurate prison population projections; by providing sound statistical analysis from solid research methods; and by distributing information through publications to all stakeholders.

OBJECTIVE #1: Maintain an accurate and complete sentencing database that will enable tracking and allow assessment of sentence impositions across the state.

Strategies for Objective # 1:

- Collect and input source data in an accurate, timely, and complete fashion. Source data would include journal entries of sentencing, journal entries of probation revocation, and criminal history worksheet data.
- Update and publish the journal entry form to improve the format, facilitate changes in legislation, and capture data necessary to perform research and analysis.
- Complete an approved annual forecast of the state's adult prison population by September 1.
- Complete population projection by severity level, and sentencing classification.
- Prepare custody classification projections. These projections predict what type/level of beds will be needed according to the risk level of the prison population, and by gender for the state's adult incarcerated population.
- Monitor compliance with the sentencing guidelines.

- Maintain a monthly error rate of 2% or less in the adult prison population projection.

OBJECTIVE #1.1: Maintain an annual error rate of +/- 5% or less in the adult prison population projection.

INPUT MEASURE #1.1:

Journal entries form the basis for trends, projections, and sentencing policy analysis.

Workload Summary and Comparison										
Workload in Hours	Actual FY 2018	Actual FY 2019	Actual FY 2020	Actual FY 2021	Actual FY 2022	Actual FY 2023	Actual FY 2024	Actual FY 2025	Actual FY 2026	Estimate FY 2027
Tracked	16,784	18,148	14,424	12,998	13,342	14,795	14,556	14,000	14,500	14,790
Entered	19,133	20,474	22,509	17,042	14,735	17,462	17,130	16,666	17,000	17,340

The estimate for the current year and budget year was established using an average annual growth rate of 2% for each fiscal year. Using 2% will allow for unexpected increases due to changes in the law.

OUTCOME MEASURE # 1.1:

Projection Error Rate									
Actual FY 2018	Actual FY 2019	Actual FY 2020	Actual FY 2021	Actual FY 2022	Actual FY 2023	Actual FY 2024	Actual FY 2025	Estimate FY 2026	Estimate FY 2027
1.6%	2.5%	10.7%	3.8%	1.0%	-2.6%	0.2%	1.5%	1.5%	1.5%

*Due to COVID-19 pandemic

--Normative statistical modeling considers (+/-) 5% as statistically valid for projections--

OBJECTIVE #1.2: *Update and publish journal entry forms to improve format, facilitate changes in legislation, and to capture data necessary to perform research and analysis. The agency has established a forms committee to review all statutorily required forms distributed statewide to criminal justice practitioners.*

INPUT MEASURE # 1.2:

Staff hours to identify changes in legislation and determine how to incorporate those changes into the form: 40

Staff hours to identify journal entry form elements: 40

Staff hours to design form: 250

Staff hours to test the form: 90

OUTPUT MEASURE #1.2:

Forms have been designed and are available on the agency's website: <https://sentencing.ks.gov/resources/sentencing-forms>

OBJECTIVE #1.3: *Complete an approved ten-year forecast of the state's adult prison population in August and submit it for approval by the Commission in late August each year.*

INPUT MEASURE #1.3:

Prison population projections consume approximately 3,400 hours for consensus, calculation, and presentation. The FY 2026 Prison Population Projection Report is available on the KSSC website: <http://www.sentencing.ks.gov/resources/reports>

Activities and Measures:

- Collect and analyze data
- Conduct consensus meetings to identify actual practice, policy implications, growth rate, and predictions regarding population movement. The consensus group consists of stakeholders of the criminal justice system within the state. See the FY 2026 Prison

Population Projection Report on the KSSC website: <http://www.sentencing.ks.gov/resources/reports> for a complete list of the participants.

- Use data to run simulations of the prison population through the prison system for a ten-year forecast period.
- Report the prison population projections.
- Apply the projections to decision making.
- Performance Measures for Objective #1.3:

Ten-year prison population projections are used to base the allocation of correctional resources and management. The projections may also be used to determine the scope and timetable for capital improvement needs of the Kansas Department of Corrections.

Activities:

- Track and monitor the monthly performance of the adult prison population projection model.
- Track and monitor at year-end the performance of the model's prediction by offense severity level and group.

OUTCOME MEASURE #1.3(a):

The following table shows the difference in the FY 2025 population projection approved by the Sentencing Commission and the actual prison population.

Prison Population Monthly Monitoring Report**FY 2025 Model**

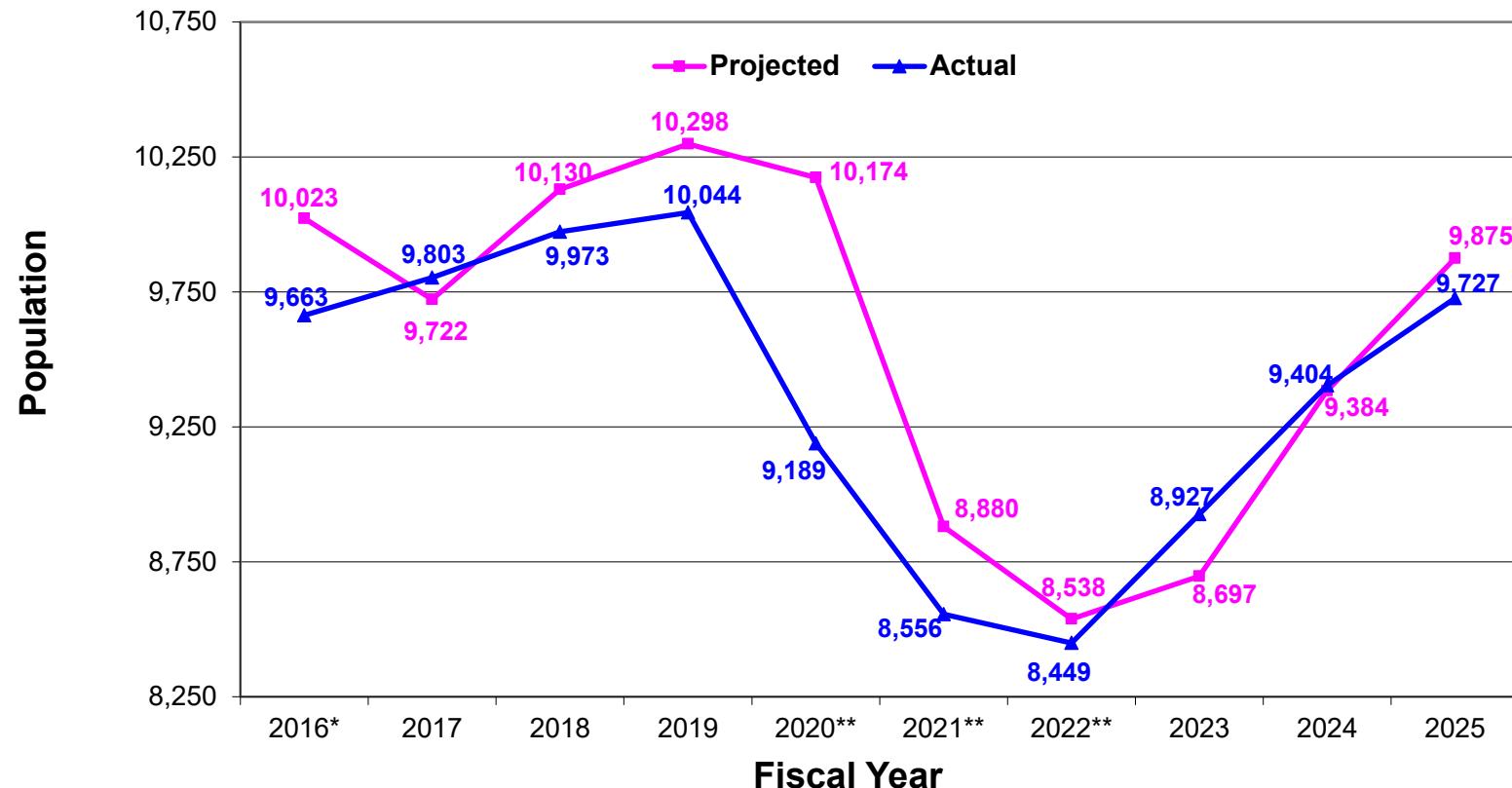
Month / Year	Projected	Actual	Difference	Percent Error
July 2024	9526	9492	34	0.4%
August 2024	9620	9530	90	0.9%
September 2024	9677	9559	118	1.2%
October 2024	9724	9613	111	1.1%
November 2024	9757	9589	168	1.8%
December 2024	9780	9588	192	2.0%
January 2025	9810	9588	222	2.3%
February 2025	9823	9635	188	2.0%
March 2025	9837	9671	166	1.7%
April 2025	9840	9678	162	1.7%
May 2025	9856	9715	141	1.5%
June 2025	9875	9727	148	1.5%

OUTCOME MEASURE #1.3(b):

Outcome measures are contained within the Prison Population Projection Reports, which can be accessed at
<http://www.sentencing.ks.gov/resources/reports>

The following chart and table provide an overview of actual versus projected population numbers for FY 2016 through FY 2025.

Ten-Year Projected and Actual Prison Population FY 2016 to FY 2025



*The decrease of actual prison population was due to HB 2447 implemented on April 14, 2016, resulting in 147 inmates released earlier.

** The decrease of FY 2020-22 actual population was due to COVID-19 pandemic.

Ten-Year Projected and Actual Prison Population

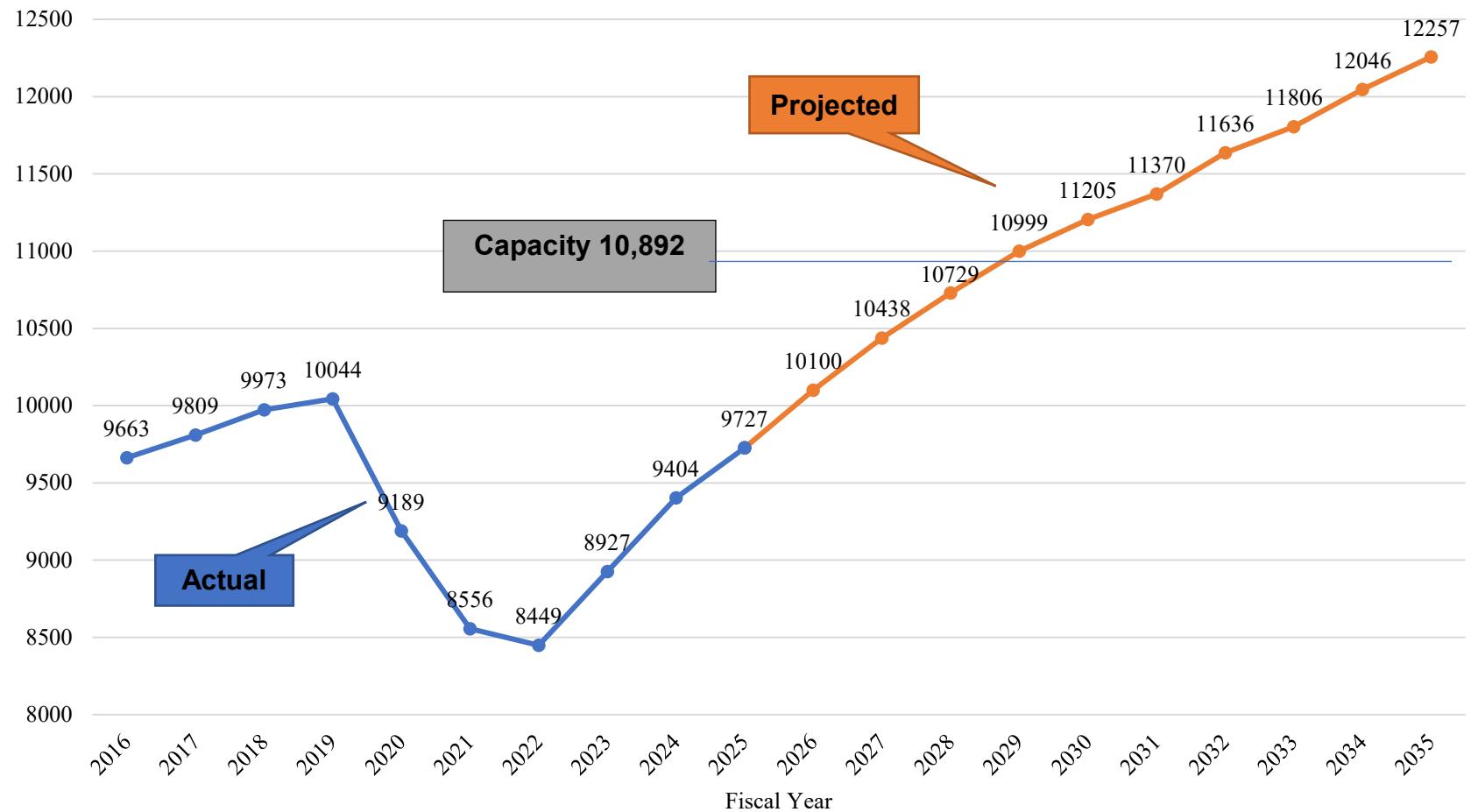
Fiscal Year-End	Projected	Actual	# Difference	% Error
2016*	10,023	9,663	360	3.70%
2017	9,722	9,803	-81	-0.80%
2018	10,130	9,973	157	1.60%
2019	10,298	10,044	254	2.50%
2020**	10,174	9,189	985	10.70%
2021**	8,880	8,556	324	3.80%
2022	8,538	8,449	89	1.10%
2023	8,697	8,927	-230	-2.60%
2024	9,384	9,404	-20	-0.20%
2025	9,875	9,727	148	1.5%
Average (10 Years)	9,572	9,374	198	0.9%

*The decrease in the actual prison population was due to HB 2447, implemented on April 14, 2016, resulting in 147 inmates being released earlier who should not have been released in FY 2016.

**The decrease in the FY 2020-22 actual prison population was due to the COVID-19 pandemic.

The following chart and table give an overview of the prison population projections for FY 2016-FY 2035.

Kansas Prison Population - Actual and Projected



FY 2026 Prison Population Projections by Offender Group

Offender Group	2025*	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	# Change	% Change
Drug	1273	1316	1340	1386	1454	1476	1494	1514	1546	1597	1650	377	22.9%
N1 to N3	2664	2782	2892	2985	3068	3153	3252	3343	3410	3510	3600	947	26.3%
N4 to N6	1643	1752	1792	1830	1890	1913	1926	1967	1990	2027	2048	405	19.8%
N7 to N10	802	804	876	919	934	969	997	1013	1006	987	995	193	19.4%
Sanction	2	0	0	0	0	0	0	0	0	0	0	-2	-100.0%
Probation Condition Violators	1230	1311	1373	1432	1481	1490	1457	1511	1535	1584	1607	377	23.5%
Offgrid Including Old Law Lifer	1545	1634	1596	1586	1568	1565	1563	1575	1590	1593	1616	71	4.4%
Parole/Post Release Violators	526	458	528	555	573	612	661	697	718	737	730	235	32.1%
Old Law Inmates	42	42	41	36	31	27	20	16	11	11	11	-31	-73.8%
Total	9727*	10100	10438	10729	10999	11205	11370	11636	11806	12046	12257	2530	20.6%

OBJECTIVE #1.4: Prepare custody classification projections and show gender distribution. The following table and charts are found in the Kansas Sentencing Commission FY 2026 Adult Inmate Prison Population Projections published in August 2025. There is demand for female bed space; therefore, the projections assist in planning for the type of bed space needed. The capacity for female offenders reached capacity during FY 2017 and is estimated to reach new capacity levels by FY 2028. The male capacity is estimated to be reached by FY 2028. The population projections publication includes trend information, such as population, admissions, and releases by type. It compares admissions to releases and contains charts showing projections broken out by violent and non-violent inmates by severity level, as well as by drug and nondrug designations.

INPUT MEASURE #1.4:

Staff hours to complete classification and gender projections:

Staff Hours Utilized for Classification and Gender Projections											
Workload Hours	Actual FY 2017	Actual FY 2018	Actual FY 2019	Actual FY 2020	Actual FY 2021	Actual FY 2022	Actual FY 2023	Actual FY 2024	Actual FY 2025	Estimate FY 2026	Estimate FY 2027
	165	165	170	175	175	175	175	175	175	175	175

Activities and Measures:

- Collect data
- Identify assumptions relating to policy and practice on this population
- Use data to run simulations of the prison population through custody classification levels for a ten-year forecast period
- Report on the projections

OUTCOME MEASURE #1.4(a):

Each projection model is presented by gender and severity level.

Activities and Measures:

- Produce prison population projections reflective of the anticipated mix of male and female inmates over the next ten years.

OUTPUT MEASURE #1.4(a):

Gender distribution-The male population capacity was 9,924, and there were 8,857 offenders incarcerated at the end of FY 2025. The level of confinement must meet the custody needs. The female capacity was 968, and there were 870 offenders incarcerated at the end of FY 2025. Before KDOC increased capacity for female offenders, the population was routinely at 96%-98% capacity. The COVID-19 pandemic dramatically decreased

Narrative Information—DA 400

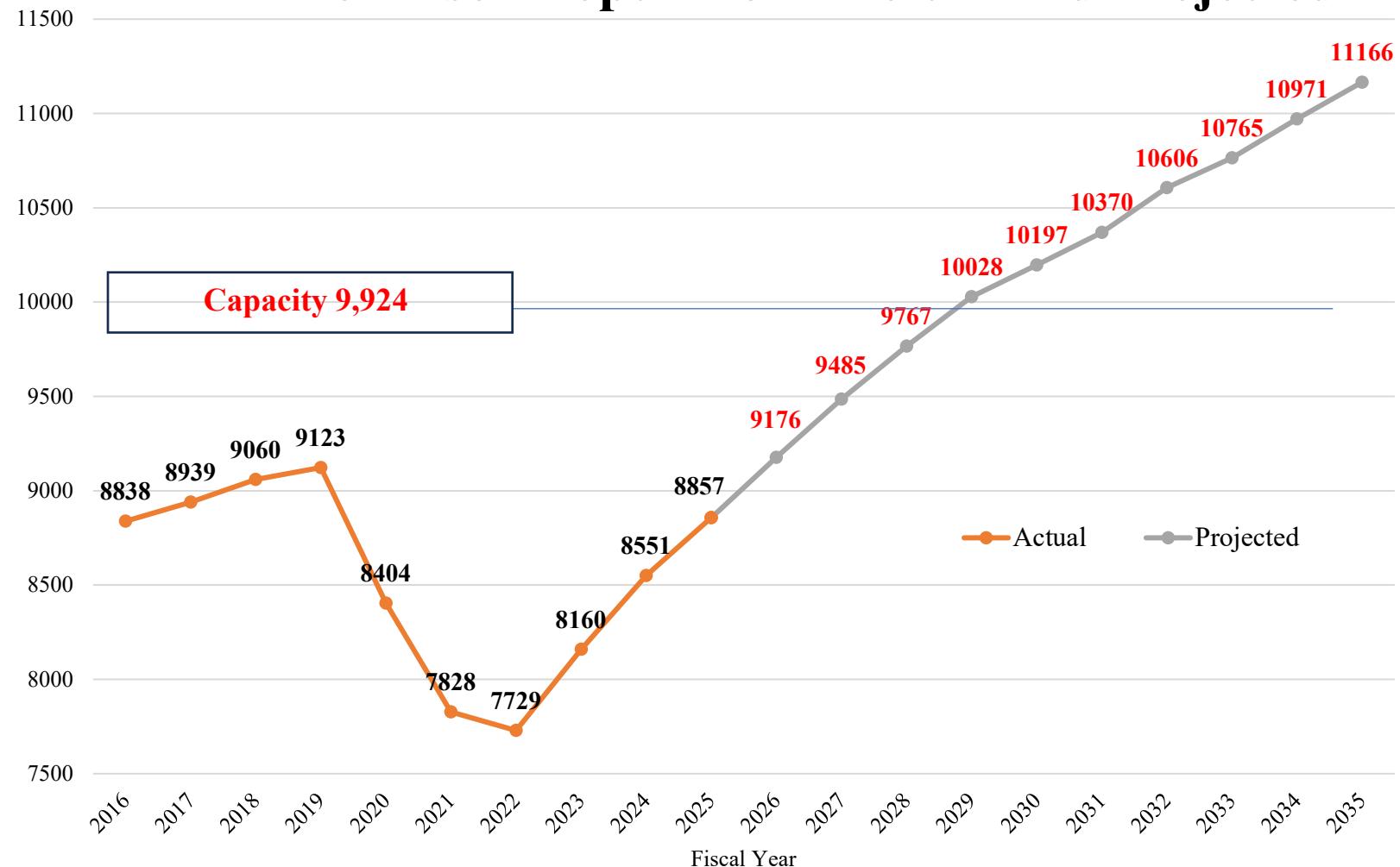
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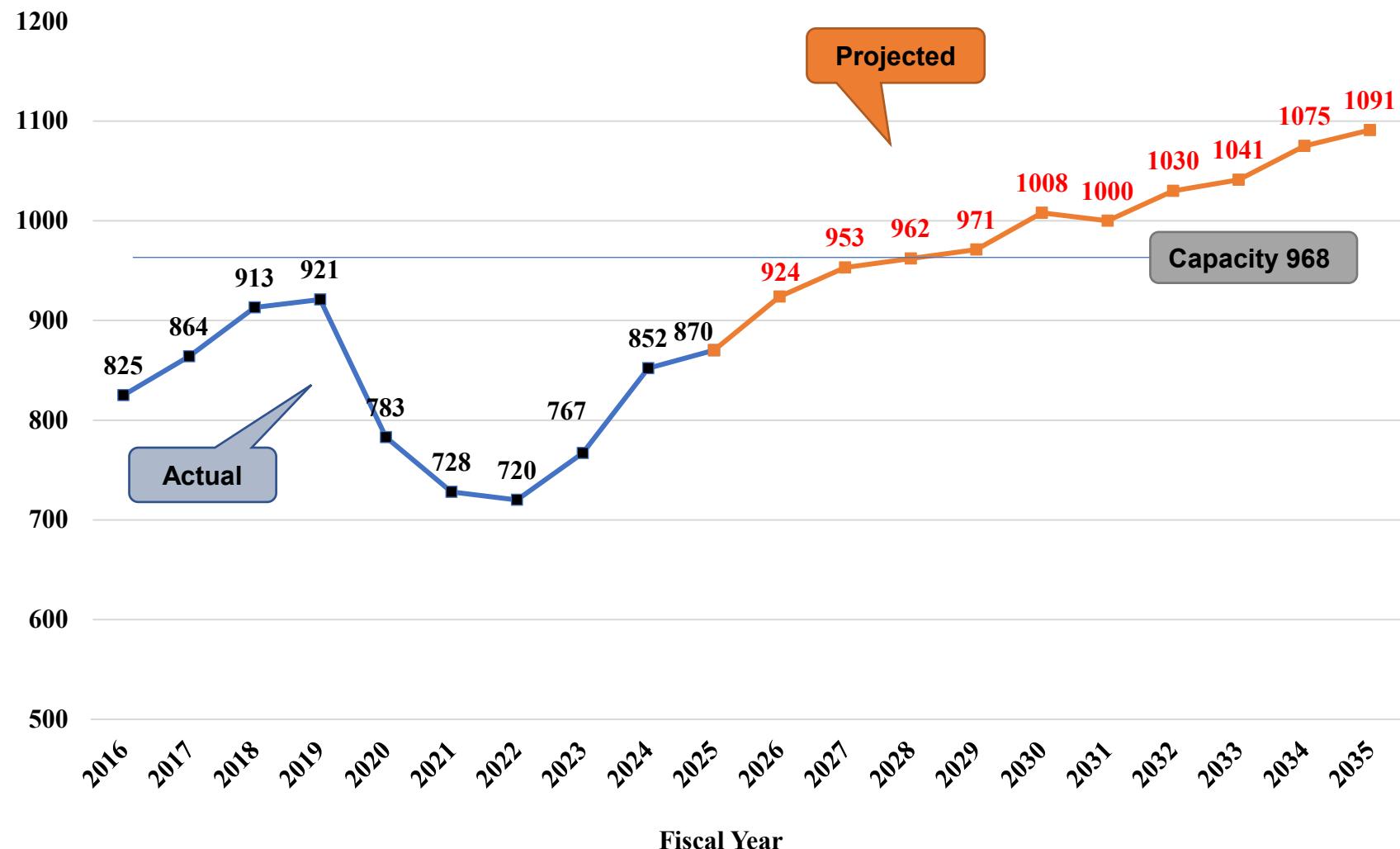
prison admissions, but the agency's prison population projections indicate that admissions will continue to increase and reach pre-pandemic capacity levels shortly.

The following are charts showing the Male and Female Prison Population Trends. The Full Prison Population Projection may be found on the agency website at <http://www.sentencing.ks.gov/resources/reports>.

Male Prison Population - Actual and Projected



Female Prison Population - Actual and Projected



OUTCOME MEASURE #1.4(b):

Custody Classification

The FY26 estimated bed space needs by custody classification for the pertinent ten-year period are not available at the time of publication. The KDOC modification process will be completed over the next month. At that time, the KSSC will complete the Annual Custody Classifications, making them readily available by request and on the KSSC website.

OUTPUT MEASURE #1.4(b):

The classification projections information guides KDOC in determining capacity affecting capital outlay and can be found on the agency's website at <http://www.sentencing.ks.gov/resources/reports>

OBJECTIVE: 1.5: Review population projection data showing the sentencing distribution and create a chart showing that distribution.

INPUT MEASURE #1.5:

Collect data and organize data from the KSSC journal entry and KDOC databases to show severity level distribution as published annually on the agency's website for the previous fiscal year.

Activities and Measures:

- Monitor the application of the guidelines
- Determine sentencing distribution based on severity level
- Group data according to geography; gender, race; type of admissions; and sentence category
- Determine the elements of the data necessary for measuring conformity in sentencing
- Create programming to extract the necessary data elements
- Format results
- Analyze data and prepare documentation for publication to the agency website

OUTPUT MEASURE #1.5:

SEVERITY LEVEL DISTRIBUTION FY 2025. In FY 2024, the agency contracted with Domo, Inc. to create dynamic dashboards that contain the entirety of previous annual report data that was represented by a static PDF file. The online visualizations allow stakeholders to view and compare multiple-year data across counties for sentencing distribution by type of conviction, severity level, and revocation data.

<https://www.sentencing.ks.gov/statistical-analysis/dashboards>.

SENTENCING DISTRIBUTION

OUTCOME MEASURE #1.5:

Provide information and statistical information on Kansas sentencing according to the Kansas Sentencing Guidelines. This information is displayed in the KSSC Dashboards on the agency's website. <https://www.sentencing.ks.gov/statistical-analysis/dashboards>

This information is utilized as a sentencing practice reference for researchers, stakeholders, policymakers, and the public. The KSSC Dashboards show the number of felony sentences ordered during each fiscal year, starting in FY 2022. The sentencing distribution shows the number of offenders sentenced to prison and the number of offenders sentenced to probation. It also shows the number of felony offenders who were sentenced to jail.

OBJECTIVE: #1.6: Monitor compliance with the sentencing guidelines.

CONFORMITY RATES BY SEVERITY LEVEL-INCARCERATION SENTENCES

OVERALL CONFORMITY RATES

In FY 2024, a total of 8,449 pure guideline sentences were utilized for analysis, including 2,312 incarceration guideline sentences and 6,137 probation sentences. Of the 8,449 guideline sentences, 76% were within the presumptive guideline grids. This is consistent with data from previous years. Fiscal year 2025 data is being processed and will be available after submission.

Activities and Measures:

Track and monitor the monthly performance of the adult prison population projection model. Staff hours in monitoring are 3.5 hours per month.

OBJECTIVE #1.7: Another essential function of the agency is to conduct legislative impacts on the prison population. The continuous effects of the policies in this model include the so-called “special rules” or offenses that carry a specific prison term outside the sentencing grid. There are now 54 special rules.

OBJECTIVE #2: Complete impact assessments for fiscal impact and prison population impact as requested by one or more of the Commission’s many customers, including but not limited to the Division of the Budget, other state agencies, individual legislators, legislative committees upon request, lobbyists, members of the public, and for consultants working with the state in some capacity.

Strategies for Objective #2:

- Provide reliable, valid data promptly to serve as input for consideration in the development of rational criminal justice policies for the state.
- Provide options to reduce populations when the population is expected to exceed prison capacity.

OBJECTIVE #2.1: Perform studies as directed by Commission, Governor, Legislature, Joint Committee on Corrections and Juvenile Justice Oversight, courts, or other criminal justice stakeholders.

Activities and Measures:

Number of Impact assessments conducted – comparative analysis of the number of impact statements and the number of staff hours required to perform these analyses.

INPUT MEASURE #2.1

Impact assessments are prepared with the assistance of seven staff members (administrative service manager, administrative specialist, staff attorney, director of research, senior research analyst, research analyst and the executive director). On average, preparation time for fiscal/bed space impacts is nine hours (*Note: Time to complete an impact statement may vary significantly based on the complexity of analysis, the number of assumptions and the number of specific laws to be changed*).

INPUT MEASURE #2.1(a):

Number of Fiscal/Bed Space Impacts Completed Per Year										
	Actual FY 2017	Actual FY 2018	Actual FY 2019	Actual FY 2020	Actual FY 2021	Actual FY 2022	Actual FY 2023	Actual FY 2024	Actual FY 2025	Estimate FY 2026
Total Completed	136	151	178	142	190	120	114	115	110	120

OUTPUT MEASURE #2.1(b):

Staff Hours Utilized for Fiscal/Bed Space Impacts										
	Actual FY 2017	Actual FY 2018	Actual FY 2019	Actual FY 2020	Actual FY 2021	Actual FY 2022	Actual FY 2023	Actual FY 2024	Actual FY 2025	Estimate FY 2026
Workload Hours	1,224	1,359	1,602	1,278	1,710	1,080	1,026	1,035	990	1,080

OBJECTIVE #2.2: The Sentencing Commission staff provides sentencing information, data, and analysis when the population is expected to exceed prison capacity within two years.

The Kansas Sentencing Commission hosted a workshop in September 2024 to explore evidence-based practices that address managing the prison population. This workshop resulted in the approval of one bill for introduction/support in the 2025 session.

OUTPUT MEASURE #2.2:

The agency provides datasets upon request to universities and other entities and charges a fee for those requests. However, the agency provides data and analysis to state agencies and other state government divisions without charge.

OBJECTIVE #3: Incorporate information, statistical data, and sentencing trends, along with legislative and judicial impact on sentencing practices, into publications, promulgation, and training.

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Strategies for Objective #3:

- Publish the Kansas Sentencing Commission Annual Report.
- Publish the Sentencing Guidelines Desk Reference Manual.

OBJECTIVE #3.1:

INPUT MEASURE: 3.1: Population Projections

Staff Hours to Create Annual Report

Project	Staff Hours
Prison Population Projections	482
Incorporate Data into Annual Report	420
TOTAL	902

Activities and Measures:

- Write the text to accompany the analysis.
- Edit and publish the document.
- Reproduce document.
- Distribute the document.

OUTPUT MEASURE #3.1:

Kansas Sentencing Commission – FY 2024 Annual Report – Available electronically on the KSSC Website. [Dashboards | Kansas Sentencing Commission](#)

OBJECTIVE #3.2: Update, generate, and make available the annual Sentencing Guidelines Desk Reference Manual.

OUTCOME MEASURE #3.2:

The Sentencing Guidelines Desk Reference Manual is provided to the courts, attorneys, KDOC, Legislature, Governor, probation officers, and other interested stakeholders. The production of this manual is completed by agency staff.

OUTPUT MEASURE #3.2:

Produce Sentencing Guidelines Desk Reference Manual.

DRM Order forms and electronic versions are available on the agency website. <https://sentencing.ks.gov/resources/desk-reference-manuals>.

Activities and measures:

- Staff hours dedicated to researching and updating the DRM: 600 hours
- Staff hours spent processing and fulfilling DRM orders: 350 hours
- Estimated distribution date: October 2025
- Number to be distributed = 750
- Estimated date for posting on website = October 2025
- Estimated income from sales of DRM in FY 2026 = \$38,273; FY 2027 = \$38,273

OBJECTIVE #4:

Provide training on the changes contained in the Sentencing Guidelines Desk Reference Manual, including changes in legislation, forms, and process, as well as those initiated by relevant case law.

Strategies for Objective #4:

- Present training and update information to other criminal justice agencies and associations whose work involves the use, completion, or interpretation of the information contained on the journal entry forms, to include those impacted by case law and legislative actions.
- Provide information, training, and materials on the Sentencing Guidelines to individuals working in the criminal justice field.

- Publish quarterly e-newsletter identifying new information and publications.
- Provide training on the Sentencing Guidelines to judges, attorneys, and other criminal justice stakeholders.

Performance: Training is being shifted to electronic media, allowing it to be accessed by more people at a time that is convenient to them. The Special Projects Manager is specifically tasked with providing educational outreach in cooperation with the staff attorney. Multiple webinars have been provided free of charge to stakeholders, many of which offer continuing legal education credit, to further educate practitioners on the use of the sentencing guidelines and the forms maintained by the KSSC.

OUTPUT MEASURE #4:

FY 2025 Trainings - Continuing legal education for attorneys and webinar opportunities that are not approved for CLE credit (primarily Court Services and Community Corrections officers). Sentencing Issues mentioned below included multiple conviction cases, special rules and their impact, and trending sentencing issues.

<u>Topics</u>	Sentencing Guidelines Training		
	<u>Trainings</u>	<u>Attendance</u>	<u>Attorney CLE</u>
Sentencing Issues	6	467	83
KSApp	10	390	160
PSI 101	2	225	0
SB 123 Policy to Practice	2	203	29
Total	20	818	189

OBJECTIVE #5:

Serve as an information resource for the government of the State of Kansas, the Kansas Legislature, various other state criminal justice agencies, and other stakeholders (including national bodies and organizations).

Strategy:

Upon request, the Commission has conducted or commissioned various statistically based research projects and has published several reports.

Included in the list are the following (which are outputs):

OUTCOME MEASURE #5:

Presentations and published materials are located under the SB 123/RAFT, Statistical Analysis, Resources, Education & Training tabs of the agency [website](#).

OUTPUT MEASURE #5:

The Commission provides ongoing legal consultation concerning issues involving sentencing guidelines upon request to judges, attorneys, and court services officers. The Commission also responds to frequent legislative requests for data or information relevant to sentencing and other criminal justice issues from the Joint Committee on Corrections and Juvenile Justice Oversight, Judiciary Committees, Appropriations/Ways and Means Committees, and individual legislators.

Performance Objective #5

Serve on special committees as assigned.

Agency staff serve and provide data and other support information.

- Legislative Committee – work ongoing
- Personnel and Compensation Committee – work ongoing
- Senate Bill 123 Committee – work ongoing
- Journal Entry Forms Committee – work ongoing

- Program and Good Time Credit Committee – work ongoing

2003 SB 123 & RAFT Drug Treatment Payments

Program Information

The alternative sentencing policy for non-violent drug possession offenders, also known as the SB 123 program, was passed during the 2003 legislative session and implemented in FY 2004. The program is designed to divert non-violent drug possession and small sale offenders out of the prison population. It requires state-funded drug treatment to reduce recidivism among this group of offenders.

The Sentencing Commission provides a centralized payment center, performs program administration in cooperation with KDOC, and provides evaluation functions for the SB 123/RAFT programs. The following information shows the expenditure history, current year estimate, and budget year estimate according to data compiled from the agency's payment database, the Treatment Provider Payment System (TPPS) and Carelon, the agency's bill payment vendor.

In FY 2024, the TPPS was retired, and the agency now handles accounting internally and through Carelon.

Program Expenditure History

The SB 123 drug treatment program utilized approximately \$138.6 million between the program's inception in FY 2004 and FY 2025. Those funds have been used for the assessment and treatment of 29,671 offenders during that period. Annual cost averages are approximately \$3,556 per offender. It should be noted that some offenders receive treatment in multiple fiscal years, so the recorded number of offenders receiving treatment does not necessarily match the actual number of individual persons who received treatment.

When compared to KDOC's FY 2024 average operating cost of \$40,238 per year/inmate to be incarcerated in state prison, one can see the effect the SB 123/RAFT programs have on the price of effective public safety in the state of Kansas.

The following chart shows actual and estimated total expenditures and offenders since FY 2016.

Annual SB 123/RAFT Treatment Expenditures



*FY 2019 - FY 2023 reflects information combined in TPPS and Carelon EOY Payment Summary. The RAFT program began in FY 2022.

The Sentencing Commission continues to study modality changes to align with other industry providers while maintaining its success rate.

The following table compares the last ten fiscal years for the actual amount expended, number of offenders, and change over time.

*SB 123/RAFT Treatments and Expenditures								
Fiscal Year	Total Expenditures	Total Offenders	Cost Per Offender	Treatment Invoices	Invoices Per Offender	Change from Previous FY	% Change in Expenditures	
FY 2016	\$ 5,980,256	2,054	\$ 3,596	8,304	4.04	\$ (543,029)	-8.3%	
FY 2017	\$ 5,980,192	1,923	\$ 3,598	8,004	4.16	\$ (64)	0.0%	
FY 2018	\$ 6,472,918	2,213	\$ 2,925	8,790	3.97	\$ 492,726	8.2%	
FY 2019	\$ 7,329,099	3,314	\$ 2,212	23,232	7.01	\$ 856,181	13.2%	
FY 2020	\$ 6,860,872	2,680	\$ 2,560	36,055	13.45	\$ (468,227)	-7.2%	
FY 2021	\$ 5,875,980	2,124	\$ 2,766	36,844	17.35	\$ (984,892)	-13.4%	
FY 2022	\$ 6,593,320	2,241	\$ 2,942	38,042	16.98	\$ 717,340	10.5%	
FY 2023	\$ 7,406,696	2,028	\$ 3,652	39,586	19.52	\$ 813,376	13.8%	
FY 2024	\$ 6,817,861	1,912	\$ 3,566	38,334	20.05	\$ (588,835)	-8.9%	
FY 2025	\$ 7,623,959	1,806	\$ 4,221	39,407	21.82	\$ 1,030,639	17.5%	
FY 2026*	\$ 13,648,220	2,000	\$ 6,824	41,452	20.73	\$ 6,024,261	88.4%	
FY 2027*	\$ 11,112,149	2,100	\$ 5,291	43,525	20.73	\$ 3,488,190	45.8%	

Current Year Estimate – FY 2026

It is expected that the \$5.9 million spending increase will be used to build on the impact of passing three bills over the past six years and to fund more treatment provider services. These are:

1. 2019 SB 18 that allows severity level 4E-4I drug offenders to be eligible for the SB 123 program.
2. 2021 HB 2026, now codified as K.S.A. 21-6825 (RAFT diversion).
3. Expansion of the SB 123 program to include nondrug felony offenders starting in FY 2024.
4. The increase in cost caps for several treatment modalities to align with industry market rates.
5. The addition of Medication Assisted Treatment (MAT) as a new treatment modality.

The program's increased costs can be covered in FY 2026 using SGF and carryover balances. SB 123 expenditures are expected to be around \$14.3 million to better reflect the impact of recent legislative changes. The reappropriation of \$2.4 million is required to fund treatment cost cap increases and the implementation of MAT.

Budget Year Estimate – FY 2027

SB 123 expenditures are estimated to be around \$11.9 million to demonstrate the impact of recent legislative changes. Increased vendor costs from favorable three-year contracts will lead to annual rises. Uncertainty remains regarding the amount of these increases due to new reimbursement rates and MAT funding. The agency will monitor expenditures monthly through FY 2026, and a supplemental request might be needed for the next budget cycle.

SB 123, RAFT Implementation, Management, and Evaluation

Goals, objectives, and performance

Administration (Program 01032) & SB 123/RAFT Invoice Payments (Program 54010)

Background:

Beginning November 1, 2003, a non-prison sanction certified drug abuse treatment program for offenders sentenced on or after that date requires participation in a certified drug abuse treatment program. All offenders sentenced under SB 123 are placed under the supervision of Community Corrections. All required assessments are scheduled according to the SB 123 Operations Manual. Community Corrections staff collaborate with treatment providers to ensure the most appropriate treatment is provided. The agency, which has contracted with vendor Carelon, is responsible for paying treatment providers.

Senate Bill 123 mandates community supervision and compulsory substance use disorder (SUD) treatment for a specific group of adult offenders convicted of felony drug possession under K.S.A. 21-5706 (previously, K.S.A. 21-36a06, K.S.A. 65-4160, or 65-4162) and certain minor drug sales under K.S.A. 21-5705. The available SUD treatment options include medication-assisted treatment, detoxification, inpatient, outpatient, peer support, continuing care and aftercare, along with relapse prevention and education.

In 2021, HB 2026 was enacted to provide SUD treatment for individuals charged with felony drug possession offenses (K.S.A. 21-5706). This program was named the Recovery from Addiction Funded Treatment (RAFT) program in 2022. It operates similarly to the SB 123 program, but treatment and payments to providers happen at the diversion stage rather than after conviction.

In 2023, S Sub for HB 2010 was enacted to expand SB 123 by allowing certain nondrug, nonperson felony offenders to access SUD treatment. The Kansas Sentencing Commission handles administration, oversight, evaluation, payment services, publications, and informational meetings for the SB 123 and RAFT programs.

Ongoing Activities:

The Kansas Sentencing Commission staff are assigned the responsibility of participating in the implementation, certification, development, and management of the SB 123/RAFT provisions. The Sentencing Commission is also the centralized payment center for SB 123 and RAFT treatment

invoices. The Sentencing Commission staff collects data on this offender group and performs analysis of the programs. The agency gathers data from the screening and guidance instruments used to determine the level of substance use disorder (SUD) and measure the offender's progress during treatment. The agency also reviews assessment scores and compares those scores to treatment modalities and costs. The Commission is continually reviewing the program to monitor for consistent application of the requirements of SB 123 and RAFT. The staff of the Sentencing Commission continues to gather data on pre-treatment offenders and participates in comparative analyses between the pre-treatment offender population and the post-treatment offender population on the impact on recidivism. Additionally, the agency continually reviews and analyzes data relating to costs and outcomes.

PROGRAM GOAL:

The goal of the mandatory SUD treatment is to provide community intervention and the opportunity for treatment to define target offenders with SUDs to improve public safety and reduce the cycling of people with SUDs through the prison system, which should be reserved for serious, violent offenders.

OBJECTIVE #1: To provide SUD treatment and supervision within communities for offenders with SUDs and improve local communities by reducing recidivism.

Activities: Establish a relationship between community corrections and treatment providers.

Strategies for Objective #1:

- Identify the population.
- Establish treatment delivery services.
- Determine if treatment utilization is appropriate.

OBJECTIVE #1.1: Population identified as offenders who are sentenced under K.S.A. 21-6824, who have no violent history or other disqualifying factors.

OUTCOME MEASURE #1.1:

Determine the number of offenders that the program has reached.

OUTPUT MEASURE #1.1:

Through FY 2025, the program has reached 29,671 offenders with either treatment or assessment according to the TPPS and Carelon payment databases.

OBJECTIVE #1.2: Provide evidence-based treatment to offenders within each community

OUTPUT MEASURE #1.2:

There are 31 community corrections agencies and over 120 treatment providers supporting the SB 123 Program throughout Kansas. Through the SB 123 Program, treatment access has increased throughout the state. The initial number of treatment providers was around 60 in FY 2004.

OBJECTIVE #1.3: Does the treatment provided match the services needed?

OUTPUT MEASURE #1.3(a):

The Sentencing Commission contracted with the University of Cincinnati to conduct an updated SB 123 program assessment. The significant findings of the study were:

- The percent reduction in relative odds of a new conviction when successfully completing the SB 123 program is 75%
- SB 123 offenders are 25-30% less likely to recidivate than non-SB 123 offenders
- SB 123 cases had a lower rate of re-conviction (7.7%) when compared to non-SB 123 cases (10.6%)
- SB 123 offenders were less likely to commit new crimes

OUTPUT MEASURE #1.3(b):

In FY 2025, the Sentencing Commission approved medication-assisted treatment (MAT) as an accepted treatment option for offenders under SB 123. MAT is the standard care for individuals with opioid use disorder and some with alcohol use disorder. Evidence shows that those who receive MAT tend to have better treatment results and are less likely to recidivate. Providers authorized to provide MAT for SB 123 offenders must report data to the agency annually, including the number of offenders on MAT, their diagnoses, the medications prescribed, and the treatment outcomes. This information will be available at the end of FY 2026.

- To provide a responsive centralized system that brings cohesion to the management of the program and efficient payment policies.

Strategies for Objective #2:

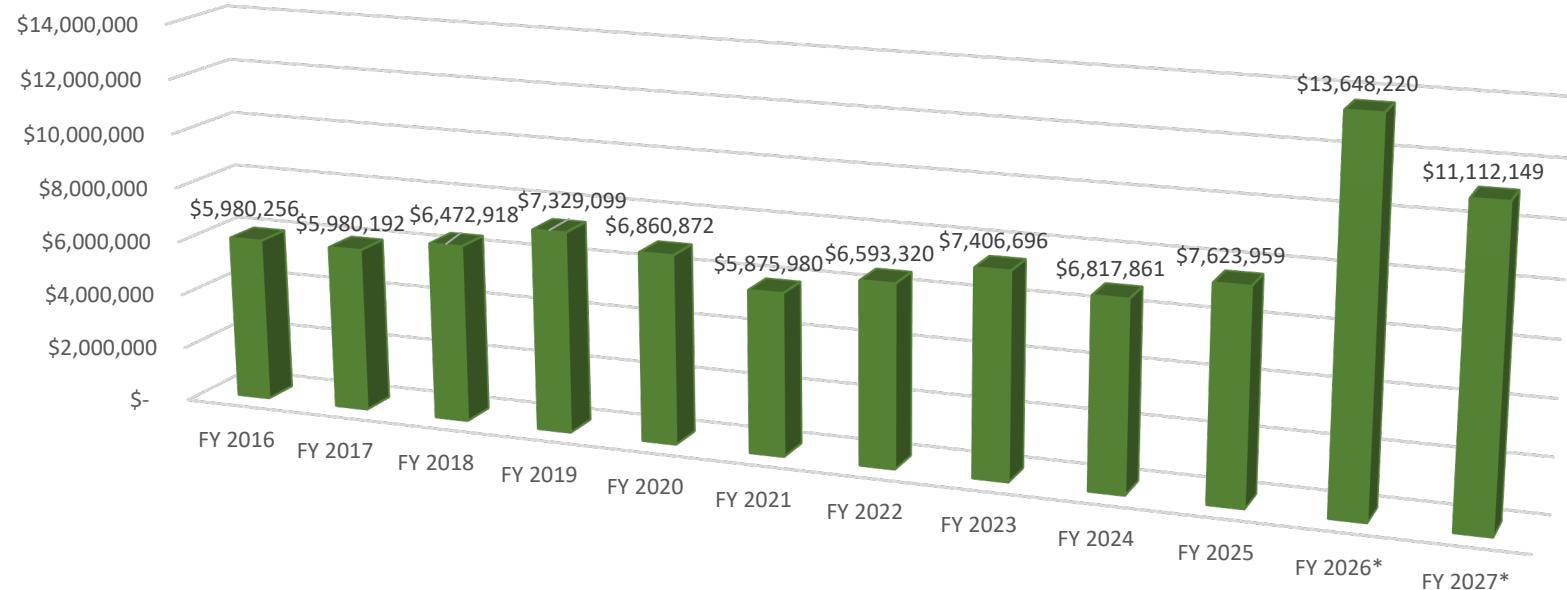
- Process invoices for treatment services.
- Provide timely payments with a reasonable turnaround for treatment invoices to certified SB 123/RAFT providers.
- Review all invoices for accuracy, compliance, and reject or deny invoices not in compliance with the policies and guidelines for payments.

OBJECTIVE #2.1: Payments and Services Provided

OUTCOME MEASURE: 2.1

Actual annual payments, recorded in the retired TPPS and Carelon databases, made to treatment providers between FY 2016 and FY 2025 are shown below. Estimates have been made in FY 2026 and FY 2027:

Annual SB 123/RAFT Treatment Expenditures



*FY 2026 and FY 2027 are estimates. FY 2019 - FY 2023 reflects information combined in TPPS and Carelon EOY Payment Summary. The RAFT program began in FY 2022.

OUTPUT MEASURE #2.1:

Number of invoices paid since inception in FY 2003 = 396,043

Number of invoices paid during FY 2025 = 39,407

Number of invoices received per fiscal year: Starting in October 2018, KSSC contracted with Carelon Behavioral Health, a third-party vendor, to handle payment of provider invoices. One benefit for treatment providers from Carelon is the quicker submission process for invoices. As a result, there was a significant rise in the number of invoices beginning in FY 2019. Prior to FY 2019, provider invoices were submitted monthly for payment.

Starting in FY 2019, the number of payments and the amount paid each fiscal year are documented in TPPS's Year to Date Activity Report and Carelon Utilization Report. Before FY 2018, only the TPPS Year to Date Activity Report recorded the number of payments and the amount paid annually. RAFT invoicing and payments were introduced in FY 2022. Because participation in the RAFT program is discretionary (each prosecutor chooses whether to participate), payments have been made for 57 divertees in FY 2025. The agency retired the TPPS system in FY 2024.

SB 123 Invoices and Payments by Fiscal Year									
	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
# of Invoices Paid	8,004	8,790	23,237	36,055	37,408	38,725	39,586	38,334	39,407
Total Amount Paid (in millions)	\$6.0	\$6.5	\$7.3	\$6.9	\$5.9	\$6.6	\$7.4	\$6.8	\$7.6

OBJECTIVE #3: Track financial records of payments through the system and provide analysis and estimates of funding needs.

Strategies for Objective #3:

- Download data from the Department of Corrections' offender database (Athena) such that only offenders with an SB 123 active sentence and appropriate, approved SUD treatment interventions delivered by certified treatment providers are eligible for payment. Track payment systems to monitor costs and payment information.
- Review modality usage.
- Track payments in the payment database system and compare them to the SMART system (actual cash flow).

INPUT MEASURE #3:

Update and maintain the payments database such that management and analytic reports are readily available and accessible.

Activities and Measures:

Reports are available in the database for the following types of information tracking:

- All modalities for each offender.
- Amount paid per modality for each offender.
- Payments made to each provider.
- Payments by community corrections agency
- Amount of offender reimbursement the agency receives.
- Amount of insurance payments made for each offender.

OUTCOME MEASURE #3:

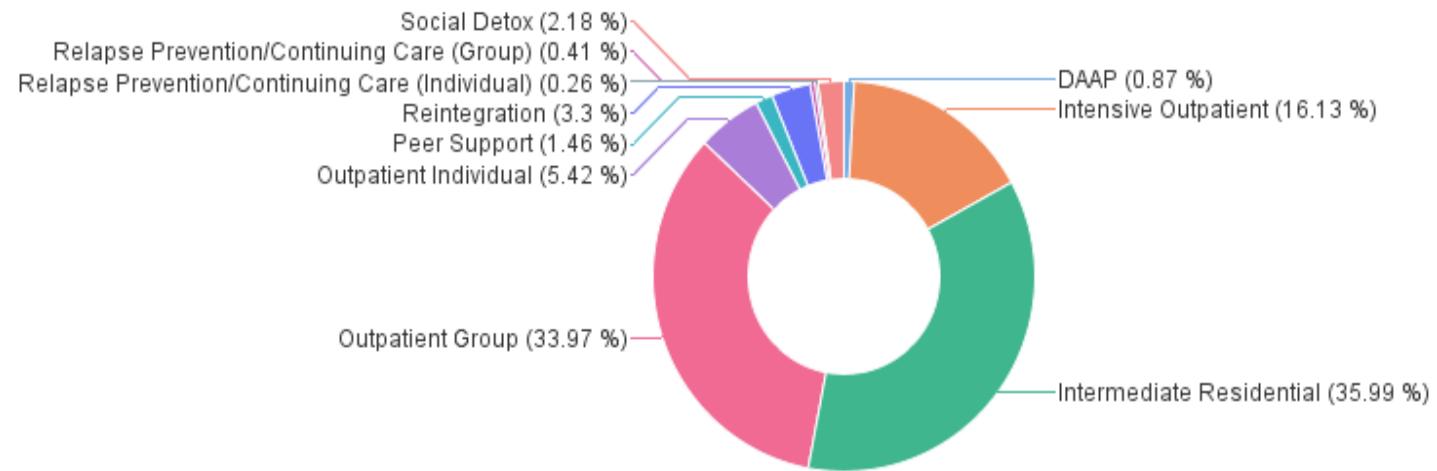
Monitor expenditures for SUD treatment.

OUTPUT MEASURE #3.1(a):

The following report reflects the FY 2025 intervention/services data recorded by Carelon for the **RAFT program**.

Service	Total Paid Amount	Offender Count	Avg Cost/Offender
DAAP	\$ 2,314.80	13	\$178.06
Intensive Outpatient	\$ 42,720.00	17	\$2,512.94
Intermediate Residential	\$ 95,292.00	21	\$4,537.71
Outpatient Group	\$ 89,951.96	39	\$2,306.46
Outpatient Individual	\$ 14,338.24	30	\$477.94
Peer Support	\$ 3,866.00	8	\$483.25
Reintegration	\$ 8,748.00	2	\$4,374.00
Relapse Prevention/Continuing Care (Group)	\$ 1,088.50	3	\$362.83
Relapse Prevention/Continuing Care (Individual)	\$ 684.00	4	\$171.00
Social Detox	\$ 5,775.00	8	\$721.88
Sum:	\$ 264,778.50	57	\$4,645.24

Total Paid Amount by Service



OUTPUT MEASURE #3.1(b):

The following report reflects the FY 2025 monthly intervention/services data recorded by Carelon for the **RAFT program**.

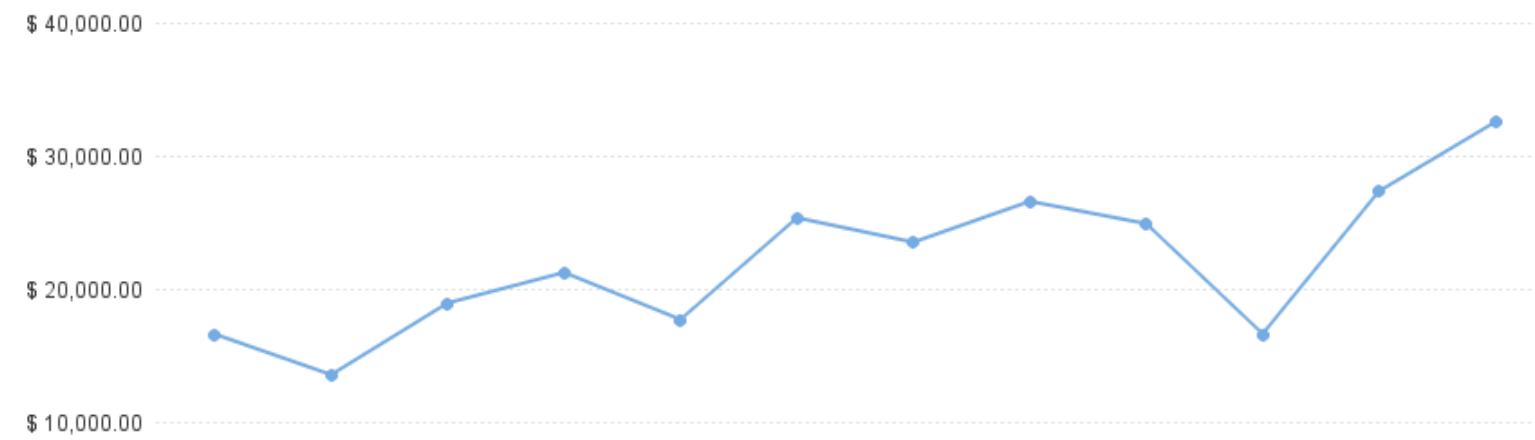
Service Month	Service Year	Total Paid Amount	Offender Count	Avg Cost/Offender
Jul	2024	\$ 16,594.00	21	\$790.19
Aug	2024	\$ 13,547.50	20	\$677.38
Sep	2024	\$ 18,929.50	19	\$996.29
Oct	2024	\$ 21,225.30	23	\$922.84
Nov	2024	\$ 17,695.00	21	\$842.62
Dec	2024	\$ 25,332.00	22	\$1,151.45
Jan	2025	\$ 23,498.50	23	\$1,021.67
Feb	2025	\$ 26,569.00	26	\$1,021.88
Mar	2025	\$ 24,890.54	28	\$888.95
Apr	2025	\$ 16,611.20	23	\$722.23
May	2025	\$ 27,337.12	21	\$1,301.77
Jun	2025	\$ 32,548.84	25	\$1,301.95
Sum:		\$ 264,778.50	57	\$4,645.24

Narrative Information—DA 400

Division of the Budget

Agency KANSAS SENTENCING COMMISSION

Total Paid Amount by Begin Service Month Name and Begin Service Year



2024	2024	2024	2024	2024	2024	2025	2025	2025	2025	2025	2025
Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun

OUTPUT MEASURE #3.1(c):

The following table and graph reflect the FY 2025 total amount of payment, by diagnosis, recorded by Carelon for the **RAFT program**.

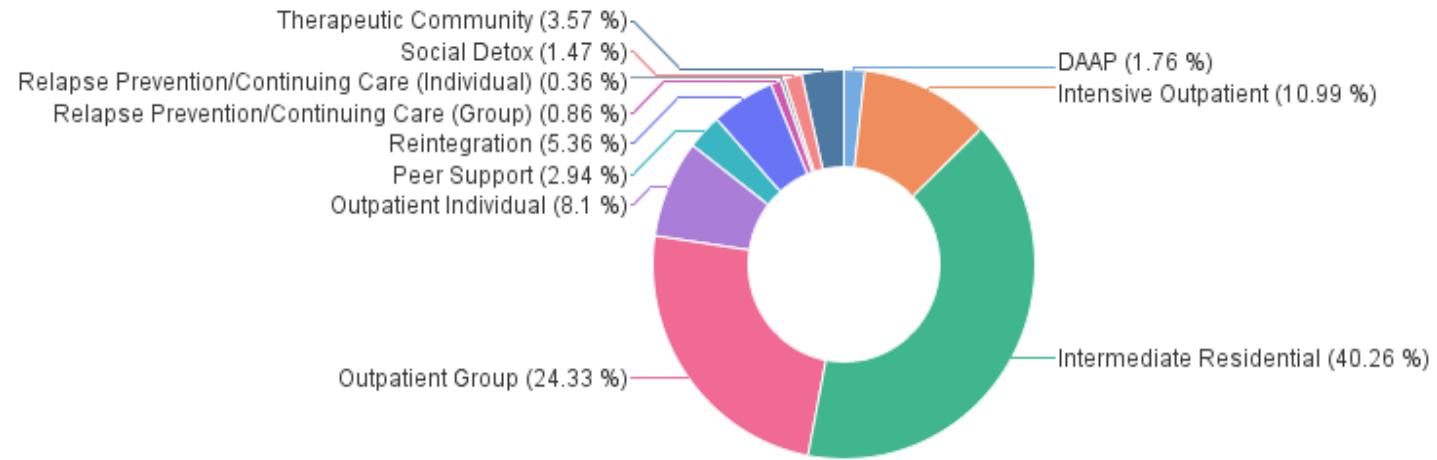
Diagnostic Code	Total Paid Amount	Count of Individuals	Avg Cost/Offender
Alcohol	\$ 21,015.50	4	\$5,253.88
Amphetamine	\$ 132,000.30	31	\$4,258.07
Cannabis	\$ 48,461.20	12	\$4,038.43
Cocaine	\$ 10,787.50	6	\$1,797.92
Opioid	\$ 52,514.00	11	\$4,774.00
Sum:	\$ 264,778.50	57	\$4,645.24

OUTPUT MEASURE #3.1(d):

The following table and graph reflect the FY25 intervention/services data recorded by Carelon for the **SB 123 program**.

Service	Total Paid Amount	Offender Count	Avg Cost/Offender
DAAP	\$ 129,796.76	730	\$177.80
Intensive Outpatient	\$ 808,818.00	403	\$2,006.99
Intermediate Residential	\$ 2,962,921.32	550	\$5,387.13
Outpatient Group	\$ 1,790,131.49	1001	\$1,788.34
Outpatient Individual	\$ 596,302.58	1038	\$574.47
Peer Support	\$ 216,133.01	390	\$554.19
Reintegration	\$ 394,659.00	106	\$3,723.20
Relapse Prevention/Continuing Care (Group)	\$ 63,258.10	82	\$771.44
Relapse Prevention/Continuing Care (Individual)	\$ 26,305.00	74	\$355.47
Social Detox	\$ 108,115.00	151	\$715.99
Therapeutic Community	\$ 262,740.00	20	\$13,137.00
Sum:	\$ 7,359,180.26	1749	\$4,207.65

Total Paid Amount by Service



Narrative Information—DA 400

Division of the Budget

Agency KANSAS SENTENCING COMMISSION

Service Month	Service Year	Total Paid Amount	Offender Count	Avg Cost/Offender
Jul	2024	\$ 583,951.24	634	\$921.06
Aug	2024	\$ 550,662.77	630	\$874.07
Sep	2024	\$ 552,314.37	629	\$878.08
Oct	2024	\$ 575,040.22	634	\$907.00
Nov	2024	\$ 535,353.59	648	\$826.16
Dec	2024	\$ 566,089.12	627	\$902.85
Jan	2025	\$ 516,362.22	638	\$809.35
Feb	2025	\$ 500,348.83	635	\$787.95
Mar	2025	\$ 750,064.29	675	\$1,111.21
Apr	2025	\$ 803,252.69	693	\$1,159.09
May	2025	\$ 741,144.14	656	\$1,129.79
Jun	2025	\$ 684,596.78	642	\$1,066.35
Sum:		\$ 7,359,180.26	1749	\$4,207.65

OUTPUT MEASURE #3.1(e):

The following table and graph reflect the monthly amount of payment, offender count and cost/offender data recorded by Carelon for FY 2025 for the **SB 123 program**.

Narrative Information—DA 400

Division of the Budget

Agency KANSAS SENTENCING COMMISSION

Total Paid Amount by Begin Service Month Name and Begin Service Year

\$ 1,000,000.00

\$ 800,000.00

\$ 600,000.00

\$ 400,000.00

\$ 200,000.00

\$ 0.00

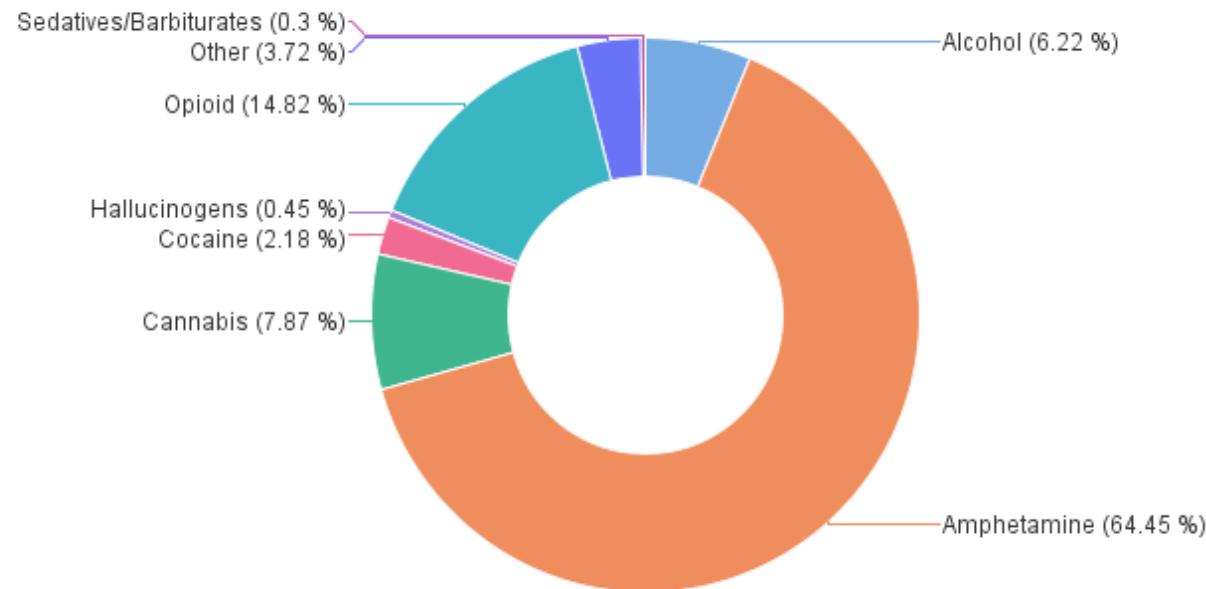
2024	2024	2024	2024	2024	2024	2025	2025	2025	2025	2025	2025
Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun

OUTPUT MEASURE #3.1(f):

The following table and graph reflect FY 2025 total amount of payment, by diagnosis, recorded by Carelon for the **SB 123 program**.

Diagnostic Code	Total Paid Amount	Count of Individuals	Avg Cost/Offender
Alcohol	\$ 457,733.65	168	\$2,724.61
Amphetamine	\$ 4,742,682.07	1204	\$3,939.10
Cannabis	\$ 579,295.05	219	\$2,645.18
Cocaine	\$ 160,647.94	56	\$2,868.71
Hallucinogens	\$ 32,810.00	8	\$4,101.25
Opioid	\$ 1,090,293.07	310	\$3,517.07
Other	\$ 273,624.00	36	\$7,600.67
Sedatives/Barbiturates	\$ 22,094.48	8	\$2,761.81
Sum:	\$ 7,359,180.26	1749	\$4,207.65

Total Paid Amount by Diagnosis



OBJECTIVE #4: Collect and report reimbursements made by offenders to the SB 123 program so that those funds can be used for payment of treatment services.

Background:

The Kansas Sentencing Commission receives reimbursement payments for treatment services provided to offenders. These reimbursements come directly from the offender as ordered by the court pursuant to K.S.A. 21-6824 and K.S.A. 75-52,144. Offenders with journal entries filed after June 1, 2024, make payments directly through the court clerk in their county of conviction.

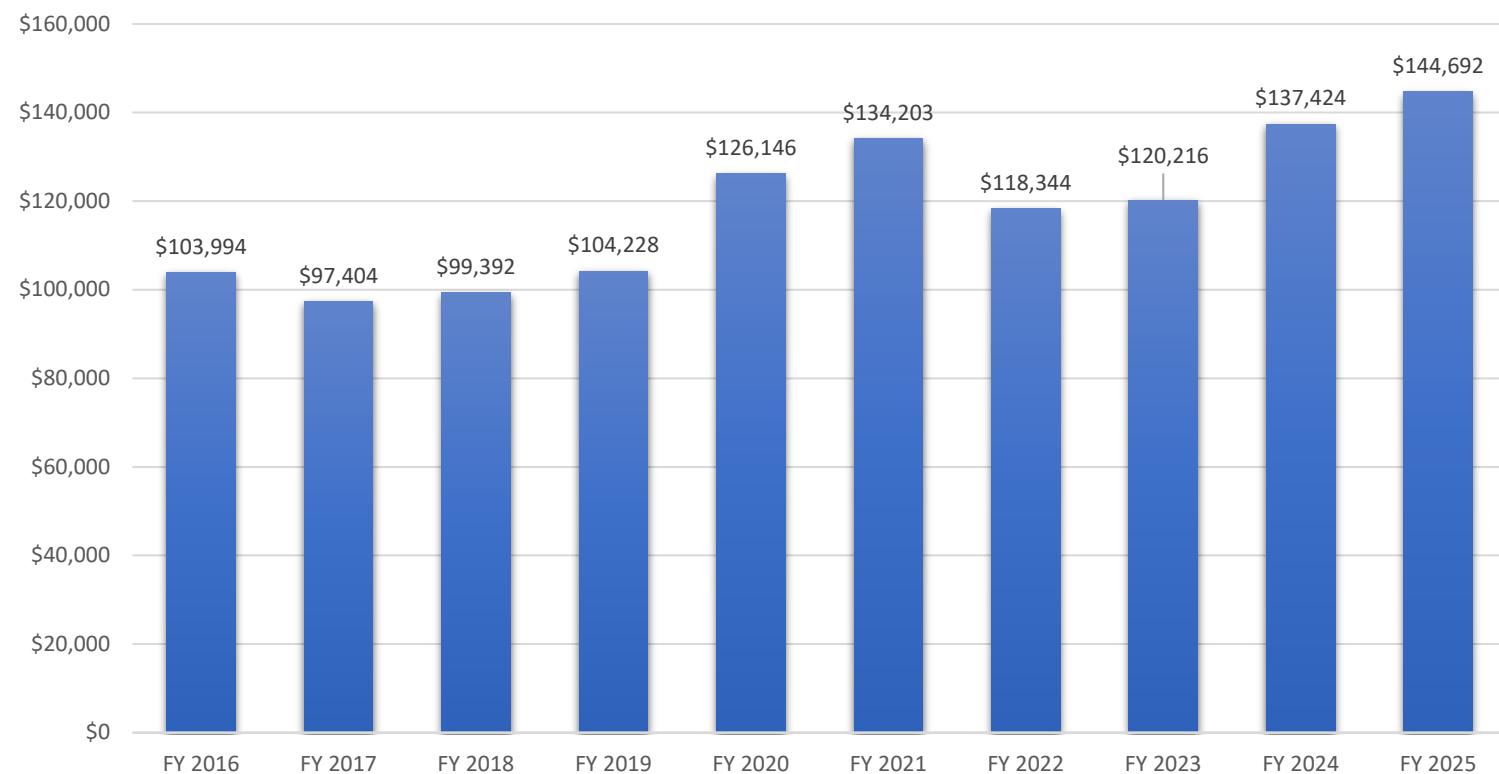
Strategies for Objective #4:

- Receive and track all offender reimbursement payments.
- Coordinate payments with the state's payment accounting system, commonly known as SMART.
- Provide offender reimbursement information to legislative committees.
- Monitor changes in collections because of increased actions to collect in compliance with the Joint Committee.
- Monitor journal entry documents to determine compliance with the minimum \$300 offender collection rate.

OUTCOME MEASURE #4: Comparison of the last ten fiscal years of offender reimbursement collections.

The chart below shows a ten-year history:

Total Offender Reimbursements FY 2016 to FY 2025



OBJECTIVE #5: Provide personal and online information resources.

The SB 123 staff regularly provide mentoring and training sessions for customers. Mentoring sessions are informal, unscheduled interactions via phone or Microsoft Teams that offer immediate guidance about program policies and procedures. By providing customers with real-time support and advice, SB 123 staff help reduce the chance of errors that could lead to waste. In contrast, training sessions are formal, scheduled interactions via Microsoft Teams. These trainings allow SB 123 staff to educate customers on various aspects of programming policy and procedures, which also helps decrease waste. Both mentoring and training sessions are crucial in ensuring the effective management of the SB 123 program. These efforts help ensure compliance with program policies, lower billing and sentencing errors that lead to waste, and improve the quality of services for offenders sentenced under SB 123. Furthermore, interactions with treatment providers foster positive experiences with the SB 123 program, supporting its ongoing expansion by adding new treatment providers.

Measures: Number of each type of session and the number of attendees

Activities and Measures:

- The SB 123 Operations Manual was first published in late 2003, and three complete revisions have been done since then: in 2006, 2008, and 2025. Work on the Manual is an ongoing process with form revisions and updates made as needed. This is a collaborative project with the Kansas Department of Corrections and treatment providers. In FY 2016, three SB 123 forms were modified. This is the fourth edition of the manual, which is exclusively digital and available on the agency's website.
- The staff is in ongoing communication with customers, assisting with all questions regarding the program. A dedicated email address is posted on the website and shared with providers, providing staff with a tool to facilitate timely responses.
- Updated information is placed on the website, and treatment providers are alerted by listserv communication when there are changes in procedures.
- Website information and forms are used by 100% of the treatment providers and other stakeholders.

OUTPUT MEASURE #5:

Changes affecting the program shall be communicated to the stakeholders and posted on the website. The latest edition of the manual was completed in June 2025 and is continuously updated in digital form. It can be found online at <https://www.sentencing.ks.gov/sb-123-raft-eligibility/providers>.

OUTPUT MEASURE #5.1:

The following is a chart that describes initial performance measures documenting the number of sessions and attendees:

Measure	FY2024 Actuals	FY2025 Actuals	FY2026 Estimate	FY2027 Estimate
Number of certification training sessions	3	25	10	6
Number of provider staff certified	111	537	250	150
Number of new provider agencies recruited	0	12	6	6
Number of presentence provider claim reviews	224	391	325	350
Number of provider mentoring attendees	28	822	863	904
Number of provider mentoring sessions	10	200	210	220
Number of training session attendees	56	141	250	200
Number of training sessions	7	47	80	70