

Ray Roberts, Secretary

Sam Brownback, Governor

Testimony on HB 2488
to
The House Committee on Corrections & Juvenile Justice

By Ray Roberts
Secretary
Kansas Department of Corrections
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The Department of Corrections wishes to address concerns with some provisions with of HB 2488. HB 2488 would allow insurance premium increases as another form of restitution to crime victims. This will allow judges to order restitution to cover any change in a victim(s) insurance premium which may increase the potential amount owed by the offender. This does not have any effect on the current practice of the KDOC to encourage and work with offenders on making restitution payments.

The first question concerns the feasibility of when a crime victim or court might have the information pertaining to how a victim's insurance premiums might even be affected. Will this occur by the time the offender is sentenced? Is it possible or practical for the court to request this information from an insurance company within a specified period of time, and should that period of time be codified?

With regard to the defendant's responsibility for restitution on the insurance cost increase, how far into the future will the defendant be held responsible for any increase? Also, what happens if the victim changes insurance companies, which may vary premium rates; how is this reassessed to the defendant? Because insurance premiums can be known to increase, or at least fluctuate each year, due to a variety of mitigating factors, how will that effect what the defendant pays? What is the method for reviewing and addressing these factors?

Finally, page 7 of HB 2488 refers to the Labette Conservation Camp, which is no longer in operation, and we recommend striking this reference if the bill is to pass out of committee.

The department urges careful consideration that the aforementioned concerns can be answered and addressed by the committee prior to HB 2488 being recommended for favorable passage.