

MEMORANDUM

To: Leyton Gunn, Division of the Budget
From: Scott M. Schultz, Executive Director
Date: February 8, 2021
Re: Prison Bed Impact Assessment, **HB 2229 – Increasing the criminal penalties for multiple thefts of mail**

IMPACT ASSESSMENT

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

SUMMARY OF THE BILL

This bill makes theft of property that is mail of the 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 together or constituting parts of a common scheme or course of conduct a **severity level 9, nonperson felony**.

This bill also defines "mail" to mean a letter, postal card, package or bag sent through the United States postal service or other delivery service, or any other article or thing contained therein, or a sealed article or thing addressed to a person;

FINDINGS

- In FY 2019, there were **963** convictions for **felony theft** under K.S.A. 21-5801. All convictions were nonperson.
 - **230 (23.8%)** offenders were sentenced to **prison**
 - **Severity Level 5 – 3 (1.3%)**
 - **Severity Level 7 – 14 (6.1%)**
 - **Severity Level 9 – 201 (87.4%)**
 - **Severity Level 10 – 12 (5.2%)**
 - **733 (76.2%)** offenders were sentenced to **probation**
 - **Severity Level 5 – 5 (0.6%)**
 - **Severity Level 7 – 48 (6.6%)**
 - **Severity Level 9 – 639 (87.2%)**

- **Severity Level 10 – 41 (5.6%)**

- **The following is a chart of sentence disposition by criminal history:**

Criminal History	Prison	Probation	Total
A	64	25	89
B	37	40	77
C	38	112	150
D	9	28	37
E	52	142	194
F	11	74	85
G	4	94	98
H	6	86	92
I	9	132	141
Totals	230	733	963

- The KSSC currently does not keep data regarding what items were stolen unless those items are specifically listed and defined in an existing statute.

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