

STATE NEWS

Fierce blowback to parole decision in 1978 murder case could uproot Kansas' system

■ Proposed legislation seeks to oust current Kansas prisoner review board members

BY ANNA KAMINSKI
Kansas Reflector

Jimmie Nelms was caught on a dead-end road.

He rammed his 1973 white Mercury Marquis through a metal gate and a wire fence into a pasture, then head-on into a Kansas Highway Patrol car that had been tailing him. After a shootout, he and two others were arrested. Police eventually tied them to the murder of 26-year-old Kansas Highway Patrolman Conroy O'Brien earlier that morning.

A jury found Nelms guilty of premeditated murder in 1978. A judge gave him two life sentences and then some for aggravated kidnapping and unlawful firearm possession.

Nelms, now 79, had been in prison 47 years when, in May 2025, he was granted parole. Days later, the promise of release was rescinded.

Once law enforcement groups and elected officials heard that the Kansas Prisoner Review Board decided to grant Nelms' release, backlash ensued.

So much backlash that the board's unexplained rescission of Nelms' parole was just the beginning.

State lawmakers are pursuing a take-over of the board and considering legislation that would strengthen oversight, create new requirements for members and raise standards for releasing people convicted of certain crimes.

A bill making its way through the Legislature would force out the current board members on July 1, if it becomes law.

Two current members have served on the board since 2024 and one has been on the board for more than a decade.

"People frequently say to the board, 'I would hate to be the ones having to make these decisions.' 'I would hate to be in your shoes.' Because with every decision comes criticism and dissatisfaction from someone," said Mark Keating, who is the current chairman of the board, in writing to a House committee as a private citizen.

Every decision means half of the interested parties are unhappy with the outcome, Keating wrote.

Elected officials spoke out in droves against Nelms' release. Sage Hill, former president of the Kansas State Troopers Association, directly addressed the board's three members in a statement following the decision, wishing them "profound shame" for their "disgraceful and disgusting actions."

"That outrage was heated," Hill said during a Feb. 9 Senate hearing.

Senate Bill 459, which was requested by the State Troopers Association, proposes a laundry list of changes to the Prisoner Review Board's authority and scope.

It is "a measured response to real world failures that have exposed vulnerabilities in Kansas's parole system," said Joe Sciarrotta, deputy chief attorney general, in written testimony.

Keating said one controversial decision is not justification for a restructuring, "is not indicative of a flawed system, and does not support the issue of the PRB being a failed model."

The bill would expand the Kansas Prisoner Review Board's membership from three people appointed by Kansas Department of Corrections Secretary Jeff

Zmuda to five people appointed by the governor and attorney general.

It stipulates that at least one board member must have five years of experience or more serving victims of crime and one must have at least five years of law enforcement experience.

The requirement is a needed change, and it ensures crime victims have a voice, said Sedgwick County Sheriff Jeff Easter, who testified on behalf of the Kansas Sheriff's Association in February to a Senate committee. He said the bill embodied "a balanced approach for appointments of parole board members and is a positive change to current practice."

The bill would set four-year term limits for board members and establish decision-making and public notice requirements. It would mandate public comment sessions be held in-person unless a victim or victim's family says otherwise and require parole hearings to be postponed if victims are not given adequate notice. It would require unanimous decisions to grant parole for people serving sentences for serious and violent crimes. It would mandate hearing notices to the attorney general and victims' families.

Emily Brandt, an appellate criminal defense attorney, said in March 2 testimony, the bill's proposed changes to the board created "a troublingly one-sided professional profile."

The changes also do not account for the other responsibilities of the board. If the bill were to pass, Brandt doubted the governor, attorney general and Senate would have enough time to appoint and confirm new board members by July 1, potentially creating a gap in the board's work. The board, which is made up of KDOC employees, reviews all release

plans for every person exiting corrections custody.

Steve Kearney, executive vice president of the Kansas State Highway Troopers Association, told a legislative committee the parole board was in need of reform. Kearney brought the bill to the Legislature, where it was introduced in February. It has appeared before two committees, undergone revisions and earned the support of law enforcement organizations, the Kansas Attorney General's Office and victim advocates.

It passed the Senate in February in a 33-7 vote, and a modified version passed the House unanimously on Wednesday. It awaits final approval in the Senate.

Under existing state law, the board must hold a hearing during the month before a person's parole eligibility date. People eligible for release are evaluated on a case-by-case basis. As the board deliberates, it weighs program agreement completion requirements, whether a person is able and willing to be a law-abiding citizen, and if someone can be released without causing harm to the community or themselves, according to KDOC procedure.

Board members also consider the circumstances of the crime; criminal and social history; program participation; employment; behavior and attitude; disciplinary history; physical and mental health; and comments from victims, their family, the offender's family, public officials and the general public.

"The parole decision is representative of the criminal justice system and governmental guidelines and is an attempt to reflect the general attitude and opinions of law enforcement and the community at large," KDOC process materials said.

Kansas House pushes back against Senate plea for Kansas Highway Patrol budget earmark

■ House negotiators lean on rule forbidding provisos skipping regular review

BY TIM CARPENTER
Kansas Reflector

Kansas Senate budget chairman Rick Billinger asked five negotiators clustered around him at the Capitol to buy into a deal allowing the Kansas Highway Patrol to sell its Salina headquarters and lease it at a bargain-basement rate before moving into a new state-financed complex.

Billinger, a Goodland Republican, wanted the conference committee's four Republicans and two Democrats to include the KHP proviso in the 2026 Legislature's final budget bill. It wasn't lost on Billinger's peers the House and Senate appropriations bills approved earlier in the session didn't feature KHP's request

for development of a \$28 million administrative building.

"So, was this an item passed either your committee or your floor?" said Rep. Kristey Williams, R-Augusta.

Billinger: "This particular item did not."

The Senate budget chairman didn't want that technicality to stand in the way of doing something solid for the law enforcement agency. He said a potential buyer for the Salina KHP headquarters had surfaced. The idea was to slide a clause into the Legislature's budget requiring KHP to get three appraisals for the Salina property, sell the old headquarters for at least \$5 million and lock down an advantageous three-year, \$10-per-year lease agreement.

He said revenue from the sale could be used to defray the cost of a brand new KHP office located on the Salina campus of Kansas State University.

"After three years, we're kind of committing ourselves to building a new headquarters?" said Rep. Troy Waymaster, a Bunker Hill Republican and chairman of the House budget committee.

Billinger: "That would be correct."

During the House and Senate negotiating session on the budget Monday, Waymaster broke the news gently to Billinger and KHP. He referenced a House rule prohibiting addition of provisos not tethered to spending objectives previously sanctioned by the House in House Bill 2434 passed or by the Senate in Senate Bill 315.

Waymaster gave fair warning the House rule could stand in the way of other last-minute tweaks to the Legislature's central spending bill.

"I don't think we can accept it," he told Billinger. "That's going to be an issue that we run into."

Rep. Henry Helgeson, a Wichita Dem-

ocrat, said reliance on just six legislators — three from the House, three from the Senate — to negotiate the final state budget disenfranchised the 122 other representatives and 37 other senators without a seat on the conference committee. In Kansas, conference committee reports cannot be amended during floor debate like a regular bill. Each is subject to simple up-or-down votes in the House and Senate.

Helgeson said the process of assembling the preferences of a half-dozen legislators into a single bill was expedient, but not politically or financially healthy.

"This is not conservative. This is not liberal," he told fellow legislators. "This is a fast way of turning over your duties and your responsibilities that make it easier and more susceptible of having control handled by a few people. Every year I preach this, and I'm not getting anywhere."



SENIOR Living

Independence • Daily

Reporter

Kansas Press Association MEMBER

Woodworth Health Care Facilities

Elm Haven Health Care Facility
Woodridge Estates Assisted Living Residence

1217 S 15th St | Parsons, KS | 620-421-2431

WHO WE DO!

Has the best readers in the biz?

Independence Daily Reporter

(620) 331-3550 | 320 N. 6th | Independence, KS

Caring for Loved Ones Like Family. Residential Care Facility

Eagle Estates

Celebrating 20 Years of Service

1354 Taylor Road • 620-331-1662

WEBB & RODRICK CHAPEL & CREMATORY

We Make It Personal.®

306 W. Main St. | Independence, KS | 620-331-3900

MORNINGSTAR ASSISTED LIVING & MEMORY CARE

FREDONIA 2111 E WASHINGTON ST 620.378.2329

NEODESHA 400 FIR ST 620.325.2244

www.morningstarcarehomes.com

"A Place To Call Home"!

CALL FOR YOUR FREE APPLICATION PACKET TODAY!

620-331-8010

PENN MANOR APARTMENTS

601 S. Penn Ave • Independence, KS

We provide the following amenities:

- Safe and Secure Environment
- Emergency Pull Cords
- Laundry Facilities located on each floor
- Social Activities

Advertisers, Call 620-331-3550 or email indyreporteradvertising4@gmail.com, to be included.