

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Ward Loyd at 1:30 p.m. on January 20, 2004 in Room 241-N of the Capitol.

All members were present.

Committee staff present:

Jill Wolters, Revisor of Statutes Office
Jerry Ann Donaldson, Legislative Research Department
Becky Krahl, Legislative Research Department
Nicoletta Buonasera, Legislative Research Department
Connie Burns, Committee Secretary

Conferees appearing before the committee:

Randy Hearrell, Kansas Judicial Council
Roger Werholtz, Secretary of Corrections

Others attending:

See Attached List.

This was a joint meeting with House Public Safety Budget committee. With Representative Ward Loyd and Representative Bill Light as co-chairs.

Randy Hearrell, Kansas Judicial Council appeared to brief the committee on Judicial Council Legislation of interest. ([Attachment 1](#))

1. **HB 2270** which proposes amendments to the Kansas Juvenile Justice Code is before this committee.
2. The Committee approved introduction of a bill also drafted by the Judicial Council Juvenile Offender/Child in Need of Care Advisory Committee which relates to the confidentiality provisions of the CINC code.
3. The Judicial Council has requested introduction of proposed legislation in the Senate Judiciary Committee as a result of Atkins v. Virginia in which the U.S. Supreme Court held that capital punishment of those with mental retardation is cruel and unusual punishment under the Eighth Amendment.

Secretary Roger Werholtz gave a briefing on Department of Corrections and some perspective in terms of how they compare on issues nationally and provided background information on what he thinks are major issues that the department has to deal with in coming years and the ensuing two or three years to come. ([Attachment 2](#))

One of the things that is heard is the concern about public safety. The Secretary shared data with the committee about victimization surveys. The national trend for violent crimes from 1993 – 2002 is a downward trend except for rape. Property crime the trend is downwards as is the general over all trend. Kansas prison population trend is increasing from 7500 in 1996 to 9018 in 2003. Kansas prison admission trends parole/post-release condition violators have gone down slightly over time. The trend for prison admission has steadily increased to 9018 in 2003. Just recently 48 inmates were moved to Texas.

The prison population capacity is increasing and the following options were offered:

Do nothing and allow the prison population to exceed capacity.
Implement an early release mechanism.
Lease out-of-state private prison beds
Lease jail beds from Kansas counties

Private Construction and Operation of a Prison in Kansas
Private Construction and Public (KDOC) Operation of a Prison in Kansas
State Constructed and Operated Facility

Kansas Jail Capacity as of August 2003 in medium security, female 44-52 beds and male 216-250 beds with an average cost per day of \$43.79. For maximum security, 23 female beds and 70 male beds.

The state is housing 30 female Federal inmates at this time.

Some of the challenges in the future are:

New medical contract – significant cost increases likely, contract will probably look quite different in FY 2006.

VOI/TIS and RSAT money will likely be gone.

Program reduction FY 2000 – FY 2005, using FY 2000 as the base year:

- Inmate ADP has increased from 8513 to an estimated 9025 for FY 2005, a 6% increase.
- Funding for facility-based programs has decreased from \$8,913,797 to \$5,295,760, a 41% reduction.
- Intervention program capacity has decreased from nearly 1700 program slots to just over 950, a loss of 744 slots representing nearly a 45% reduction.
- Most significant losses were in short-term substance abuse treatment which has been virtually eliminated in the facilities; academic education which may be eliminated with the FY 05 funding; and vocational education which has been reduced by over a third of its capacity and may be reduced further in FY 05.
- Parole ADP has increased from 3999 to an estimated 4517, an increase of 13%.
- Funding for community-based intervention programs has decreased from \$3,502,672 to \$736,150 nearly 80% reduction.
- Capacity for community-based program interventions has been reduced from a high of 804 slots (FY 01) to 525 in FY 05, a loss of 279 slots, a 35% reduction.
- Most significant reductions in community-based programs have been in substance abuse treatment, again virtually eliminating community-based treatment; transitional housing (CRB) over a \$90 reduction representing a loss of 205 slots; and a reduction in transitional therapeutic community slots.
- Overall, the funding for facility-based and community-based programs has decreased by 51 percent.

The meeting was adjourned at 3:25 PM. The next scheduled meeting is January 21, 2004.