

MINUTES

JOINT COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE OVERSIGHT

July 19-20, 2007
Room 514-S—Statehouse

Members Present

Representative Tim Owens, Chairperson
Senator Pete Brungardt, Vice-Chairperson
Senator Karin Brownlee
Senator Greta Goodwin
Senator David Haley
Senator Jean Schodorf
Senator David Wysong
Representative Doug Gatewood
Representative Dan Johnson
Representative Jim Ward

Members Absent

Senator Phil Journey
Representative Bob Bethell
Representative Jerry Henry
Representative Jason Watkins

Staff Present

Reagan Cussimano, Kansas Legislative Research Department
Jerry Ann Donaldson, Kansas Legislative Research Department
Athena Andaya, Kansas Legislative Research Department
Michael Steiner, Kansas Legislative Research Department
Duston Slinkard, Revisor of Statutes Office
Jill Wolters, Revisor of Statutes Office
Jason Thompson, Revisor of Statutes Office

Others Attending

See attached list.

Thursday, July 19 Morning Session

The meeting was called to order by Chairperson Owens at 10:10 a.m. The members introduced themselves to the other members of the Committee, staff, and attendees. The Committee was introduced to new staff member Jason Thompson, Assistant Revisor of Statutes.

The Chairperson asked the Committee to consider which facilities the Committee should travel to during the interim, as well as whether members wanted to attend the Eighth Annual Governor's Conference on Juvenile Justice in Topeka, at the end of July.

Kansas Department of Corrections Briefing

A Kansas Department of Corrections (KDOC) briefing was presented by Secretary Roger Werholtz ([Attachment 1](#)). Secretary Werholtz stated there are eight prison complexes in 12 communities in Kansas. Additionally, there is the Labette County Conservation Camp. Parole offices are divided by region: Northern parole region and Southern parole region. Parole Officers are state employees who work for the KDOC and are funded through State General Fund dollars. With regard to Community Corrections, the Secretary stated that there are 30 Community Corrections programs in Kansas. Community Corrections Officers are county employees and are funded through the KDOC with state dollars and some county money. Court Services is organized by judicial districts funded almost exclusively with county dollars. Court Services Officers are state employees who are supervised by judges within each judicial district.

A question was posed regarding best practices or research on consolidation of services for post-release supervision. The Secretary stated that the literature was mainly directed at practices or services provided, but did not identify the best organizational structure of the supervising agency. According to the Secretary, there have been five studies conducted on the issue of consolidation of post-release supervision services, four conclude there should be consolidation, but there is no agreement on the where and the how. The Secretary suggested initial efforts should be focused on 2007 House Sub. for SB 14. Once it has been fully implemented, the issue of consolidation could be explored.

The Secretary discussed Kansas comparative data, noting that Kansas tends to be in the top third on spending of state funds on corrections and that KDOC makes up about 3.0 percent of the State General Fund. The Secretary also provided some testimony on confinement and stated that of the individuals under the control of the Secretary of Corrections, 57.8 percent are confined and 33.0 percent are not confined.

Secretary Werholtz testified that the Kansas Sentencing Commission (KSC) projections on capacity are not as accurate as they were previously because of a change in how parole violations were handled. KSC was asked to recalculate with the change (revised admissions). The change in reduced revocations does not ignore offender behavior but finds a different disposition to address the negative behavior in a more effective manner. The change allowed KDOC to go before the Legislature during the 2007 Session and justify why additional bed space was not necessary and how expansion decisions could be put off until FY 2009. Secretary Werholtz also discussed the Average Daily Population (ADP) growth. He stated that while the population is, in fact, increasing, the increase may be attributed to the new way of calculating ADP.

The Secretary discussed a three-year plan to restore offender programming to the level available in 2000 (Attachment 2). This document is a work in progress and the numbers will probably change. Roger Haden, Deputy Secretary of Programs and Staff Development, is available if there are questions.

Bill Noll, Director of Information Technology, KDOC, talked about KDOC's objective to replace antiquated systems of the offender management information system (OMIS) and the total offender access data system (TOADS) to provide more effective services. Overall, the initiative is complex because of the system itself, as well as funding and the risks associated with retraining and adapting new legislative efforts or legal issues to the system.

Mary K. Vaughn, Director of the Housing and Community Services Department for the City of Wichita, was introduced. She talked about the New Communities Initiative in Wichita (Attachment 3). The Initiative focuses on transforming the entire community, and not just individuals, by larger neighborhood revitalization and accessing community resources. The Initiative restructures how services are provided by coordinating efforts to cross jurisdictional lines, regardless of whose money or whose staff are utilized. There are five pillars in the Initiative: adult education and economic development; housing; physical, mental, and behavioral health; children and youth; and safe and secure neighborhoods.

Overview of Legislation Affecting KDOC

2007 SB 14 provides an additional \$4.5 million to enhance community corrections programs and reduce parole or post-release violations by 20.0 percent. Attachment 1, page 42, breaks the information down by each community corrections program. Keven Pellant, Deputy Secretary of Community and Field Services, advised that the programs have an October 1 application deadline for the disbursement of the money.

The Secretary showed photos of Corrections Officers injured on the job. He talked about Corrections Officers' pay and benefits. He showed what the Legislature has done for other law enforcement officers. He wants to encourage young people to work for KDOC, retire, and then have the opportunity to start another career. He wants incentives to make Corrections a rewarding career and not just something to do until they figure out what they really want to do with their lives. The Secretary advised that uniformed personnel in KDOC received a salary increase in 2006. He wants uniformed personnel, unit team managers, and facilities maintenance and parole personnel to be included in the Kansas police and fire retirement plan.

Topic 1—HIV/AIDS Awareness in Kansas Correctional Facilities

Viola Riggins, Senior Contract Management Consultant, KUPI, provided testimony on mandatory testing for HIV/AIDS in correctional facilities. She stated spending money on mandatory testing of all inmates would not be a valid clinical expense because risk factors are not present with all inmates. She believes the policy should focus on prevention, education, testing, and treatment. Ms. Riggins believes KDOC is already capturing 75.0 percent of those who are at risk with current policy. She suggests that mandatory education, not mandatory testing, will go farther from a dollar perspective and education perspective.

William Lyons, Director of HIV/AIDS, Kansas Department of Health and Environment discussed the Memorandum of Agreement with the KDOC, which provides for pre-release HIV

education, support for the CPG-Corrections Task Force, oversight and administration, and resolution of issues ([Attachment 4](#)).

Afternoon Session

The Committee toured the Topeka Correctional Facility.

Friday, July 20 Morning Session

The meeting was called to order by Chairperson Owens at 9:20 a.m. The Committee decided it will not attend the Governor's Conference on Juvenile Justice as a Committee. Commissioner Jennings, however, agreed to waive the registration fee for the individual legislators who wish to attend the Conference.

Juvenile Justice Authority Briefing

J. Russell Jennings, Commissioner of Juvenile Justice, provided a brief biography of himself prior to testifying ([Attachment 5](#)).

The Commissioner conducted a briefing on the Juvenile Justice Authority ([Attachment 6](#)). He stated that needs and risks vary from community to community; therefore, decisions are best made locally. He discussed in detail the foundations of juvenile justice reform, resource adequacy, community funding methodology, and incentive funding.

OVERVIEW OF LEGISLATION

Topic 2—Juvenile Justice Community Corrections Core Programming

Stuart Little, Little Government Relations, on behalf of the Kansas Community Corrections Association (KCCA), provided written testimony ([Attachment 7](#)). He introduced Shelly Williams, Mark Masterson, and Venice Sloan.

Shelly Williams, Supervisor of Juvenile Intake and Assessment and Case Manager in Riley County, informed the Committee that services are jeopardized and are in near crisis because of funding concerns ([Attachment 8](#)). All funding for Riley County is through the state. However, the county makes in-kind contributions through rent and other means.

Mark Masterson, Director of Sedgwick County Department of Corrections, stated he is pleased with the juvenile justice reform but believes that no more programs or staff can be cut in order to maintain the integrity of the local service continuum to address juvenile crime (Attachment 9). He stated that they have been operating in crisis mode for awhile. The Sedgwick County DOC collects, analyzes, and monitors system activity and evaluates the performance of programs with an outside evaluator from Wichita State University.

Venice Sloan, Administrative Contact and Director of Adult Community Corrections and Juvenile Services in the 22nd Judicial District (Nemaha, Doniphan, Brown, and Marshall Counties), encouraged the Legislature to provide the funding needed for the KDOC to implement community programs and to hire staff to concentrate on high-risk juvenile caseloads to reduce the number of expensive adult prison beds needed (Attachment 10). A question regarding how to define "adequate funding" was posed. Ms. Sloan's perspective for her district would begin with better work space. Then the focus would be on assessing what programs the juvenile needs. Ms. Sloan thinks that the definition would be different for each program.

Afternoon Session

The Committee toured the Kansas Juvenile Correctional Complex.

The Committee meeting adjourned. The next meeting is scheduled for August 16, 2007.

Prepared by Athena Andaya
Edited by Reagan Cussimano

Approved by Committee on:

October 5, 2007
(Date)