

## MINUTES

### JOINT COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE OVERSIGHT

October 12-13, 2006  
Room 514-S—Statehouse

#### Members Present

Senator Pete Brungardt, Chairman  
Representative Bill Light, Vice-Chairman  
Senator Greta Goodwin, Ranking Minority Member, Senate  
Representative Doug Gatewood, Ranking Minority Member, House  
Senator Karin Brownlee  
Senator David Haley  
Senator Phil Journey  
Senator Jean Schodorf  
Representative Kathe Decker  
Representative Dale Swenson

#### Members Absent

Senator Kay O'Connor  
Representative Jan Pauls (Attending NCSL Conference in Seattle, WA)  
Representative Shari Weber

#### Staff Present

Reagan Cussimano, Kansas Legislative Research Department  
Athena Andaya, Kansas Legislative Research Department  
Jerry Donaldson, Kansas Legislative Research Department  
Michael Steiner, Kansas Legislative Research Department  
Jill Wolters, Revisor of Statutes Office  
Helen Pedigo, Revisor of Statutes Office  
Renaë Hansen, Committee Secretary

#### Conferees

Mark Gleeson, Family and Children Program Coordinator, Office of Judicial Administration  
Annie Grevas, Director, Community Corrections, 28<sup>th</sup> Judicial District  
Michael Wilson, Director, Community Corrections, 11<sup>th</sup> Judicial District  
Dina Pennington, Director, Community Corrections, Shawnee County  
Barry Billings, Community Corrections, Shawnee County  
Dr. Stuart Little, Little Government Relations  
Rod Crawford, Kansas Correctional Industries  
Terry Heidner, Director of Planning and Development, Kansas Department of Transportation  
Kathleen Graves, Director, Community Corrections Services, Kansas Department of

Corrections

Margie Phelps, Reentry Director, Kansas Department of Corrections  
Jonathan Ogletree, Director, Shawnee County Reentry Program  
Mary Obregon, Case Manager, Shawnee County Reentry Program  
Michelle Montgomery, Program Specialist, Shawnee County Reentry Program  
Sally Frey, Program Director, Sedgwick County Reentry Program  
Erika Niles-Plumlee, Case Manager Coordinator, Lansing Correctional Facility  
Terry Hund, Topeka Parole Officer  
Katrina Pollett, Superintendent, Beloit Juvenile Correctional Facility  
Don Jordan, Commissioner, Juvenile Justice Authority  
Pam Weigand, Director, Douglas County Youth Services  
Judy Culley, Executive Director, The Shelter, Inc.

**Thursday, October 12  
Morning Session**

The meeting was called to order at 10:17 a.m. Senator Pete Brungardt, Chairman, offered opening remarks about the agenda for October 12 and 13, 2006.

**Overview of Adult and Juvenile Community  
Corrections and Court Services**

Mark Gleeson, Family and Children Program Coordinator, Office of Judicial Administration, Lawrence, communicated the status of Court Service Officers (CSOs) and districts. He identified the duties of CSOs, stating the primary role is to assist the district courts by performing investigation and supervision. General duties are governed by statute, administrative rule, and court policy. A fair amount of time is spent on investigation and remediation of child custody.

A question was asked about Court Service Officers dealing with Child in Need of Care (CINC) issues, possibly duplicating Social and Rehabilitation Services (SRS) duties. Mr. Gleeson stated that they do not provide direct supervision to the families. Their function is to monitor and assure that all parts of the process are followed. Mr. Gleeson presented a data sheet for FY 2004 through FY 2006 (Attachments 1, 2, and 3). He discussed changes in the numbers, with the most significant change in adult investigations which increased by 5,000 from 2004 to 2006. The collection process for restitution was explained. It was noted that a collection agency is utilized when collections are not received. The collection agency files a legal claim against the assets of the individual for the funds. At the high end, caseloads for CSOs may run from 170-200. A reduction in the number of cases filed was noted between 2004 and 2006, although Mr. Gleeson could not point to a specific reason for the drop.

**Community Corrections**

Annie Grevas, Community Corrections, 28<sup>th</sup> Judicial District (Saline and Ottawa counties), stated that 6,000 adults and 3,000 juveniles are served in the 28<sup>th</sup> Judicial District. Ms. Grevas offered information to the Committee on specific duties performed by the district. She noted that local programs for adults and juveniles are based on the needs of the community. In addition, she noted that in order for rehabilitation to be effective, court services and community corrections must staff the

programs adequately.

Ms. Grevas noted that changes in the system are necessary for current programs to continue successfully. One of the five recommendations offered was to utilize State General Fund (SGF) monies to pay for community-based juvenile residential services for youth in the custody of the Juvenile Justice Authority (JJA). There are concerns that if youth are not served appropriately, they will re-offend. According to Ms. Grevas, the following programs are working: Behavior Restructuring Group and the Condition Violators and Absconder Locator Program (Attachment 4).

Ms. Grevas elaborated on the recommendations. She stated that flat funding prohibits many programs that could help the offenders find the desire to do better. Community corrections often deal with additional chemical dependency issues. These programs often are funded by federal grants, as well as through monies from individual counties. Every year the funds decline, while each year the offender population increases and crimes become more violent. Additionally, prison space is not being addressed. These funding issues, as well as the impending loss of monies were discussed, along with the effect of the treatment services available and individuals served. Risk management and evidence based treatment for offenders matches the risk of the offender to the services available. A cognitive treatment base must be applied to everything offenders do, educating them to other methods that will help them function better in society upon release.

## **Afternoon Session**

### **Overview of Adult and Juvenile Community Corrections and Court Services (continued)**

Michael Wilson, Director, Community Corrections, 11<sup>th</sup> Judicial District, testified that in the three counties in which he serves there currently is an 85 percent adult and 15 percent juvenile split in their population, as opposed to a previous 60/40 split. He attributes this change to diversion programs. A new judicial center in Crawford County provides court services and community corrections in one building (Attachment 5).

Questions regarding the success of SB 123 and the mental health component were posed. Initially, there was a contract with a provider in place, but it proved too administratively cumbersome and the provider backed out of the program after the first year. Crawford County is able to provide more adequately for all needed services than are the other two counties in the 11<sup>th</sup> district. The other two counties do not have adequate facilities for all the services needed. Staff personnel in the counties are adequate for the workload. However, staff travels on a daily basis to meet their obligations, which poses some problems.

It was speculated that the lower numbers in the juvenile population were because of prevention programs, but instead it was felt that the diversion program is working in a better manner. It also was noted that some individuals in the diversion program occasionally participate in another district's program due to locale. Mr. Wilson noted the prosecution of juveniles has gradually declined over the last 6 years. He also suggested that having the power of being a full force and staff of a state agency allows them to be more powerful in their ability to do their work effectively. An additional problem mentioned was that staff is required to serve on a number of boards and this prohibits them from adequately completing their daily tasks and commitments. It was noted that the consolidation of court services and community corrections may work better for some districts. The 11<sup>th</sup> Judicial District has successfully done this and he believes it has allowed them to be more efficient.

Dina Pennington, Director, Community Corrections, Shawnee County, spoke about the Shawnee County juvenile programs. The success of the Shawnee County programs was noted. Ms. Pennington stated that client willingness to succeed and good client-staff relationships are vital to their success. Funding issues for juveniles were discussed, with Ms. Pennington stating that inequities have occurred in the funding areas. It was commented that Shawnee County does not receive its fair share as specified in the formula. They have lost two case managers, a surveillance officer, and a secretary due to budget reductions (Attachment 6). This has resulted in staff decreases. Currently, there are six cases officers with approximately 30 cases per officer.

Barry Billings, Community Corrections, Shawnee County, stated that Shawnee County Community Corrections is the longest continually operating community corrections program in the state. They have 24 employees. Twelve of these are assigned to supervise 540 adult offenders, making them the third largest program for Adult Intensive Supervision in the state, behind Sedgwick and Johnson counties. Community service hours and wages were offered for the offenders in both Shawnee County and in the 2nd district. They are desperately in need of more staff and some programs have been cut due to lack of funding. They have done well with their local partnerships. Mr. Billings stated that they support use of the LSI-R and the model of treatment provided by SB 123. He also said that effective supervision of offenders requires manageable caseloads, as well as ample time and resources to be available to supervising officers. A portion of the testimony by Mr. Billings included recommendations by the Kansas Community Corrections Association (KCCA) to be considered by the Kansas Department of Corrections (Attachment 7).

Dr. Stuart Little, Little Government Relations, spoke to the issue of the budget constraints within the KCCA, a voluntary association comprised of all community corrections agencies and seven affiliated groups. This association consists of 35 member agencies, including both juvenile and adult agencies. There have been years of flat funding for adult and juvenile community corrections agencies, who have continued to perform important public safety tasks as statutorily charged. With the submission of budgets this year, both JJA and KDOC have asked for funding increases. Dr. Little stated that the KCCA requests this Committee to endorse in the Committee Report the funding requests as a needed contribution to ensuring this critical part of the public safety system.

Community corrections agencies are being given directives and guidelines from the local, state, and federal levels, and they need adequate funding to help these programs be successful. With the exception of SB 123 money, no new monies have been added for the programs. These agencies are funded on a formula that is tied to the county raises. When the county gives raises their agencies have to also. However, there is not an increase in the dollars coming in, so services are cut to make up the difference (Attachment 8).

It was noted that any discussion by the Legislature of prison expansion should be accompanied by discussion of public safety in the community and additional needs or changes that may be necessary.

## **Overview of Kansas Correctional Industries (KCI) Programs with Regard to Inmate Access to Personal Identification Data**

Rod Crawford, Kansas Correctional Industries, presented information on KCI. KCI provides meaningful work opportunities for inmates. The inmates are involved in data entry and document imaging on microfilm. Consideration is given to an inmates crime. Those in custody for crimes such as forgery, identity theft, and fraud are not eligible for the program. It was noted that the documents currently being worked on by inmate labor in these two programs fall under the Open Records Act.

The computer programs they work with do not allow them to change the data, only to rearrange it. If Social Security numbers are included on the documents, they are taken off the records (Attachment 9).

Terry Heidner, Director of Planning and Development, Kansas Department of Transportation, offered information on the issue of data entry of accident information by Kansas Correctional Industries (Attachment 10).

A question regarding inmate access to private, personal information was posed. Chairman Brungardt noted that this issue was recently in the media in other states, specifically Tennessee. The Committee noted that personal information should be guarded. Mr. Crawford, from Kansas Correctional Industries, stated that Kansas already has procedures in place to protect personal information.

It was noted the Committee would reconvene October 13, 2006, at 9:00 a.m. for a continuation of the current meeting.

The meeting was adjourned by Chairman Pete Brungardt at 3:00 p.m.

### **Friday, October 13 Morning Session**

The meeting was called to order by the Chairman, Senator Pete Brungardt.

#### **Overview of Adult Reentry Programs**

Kathleen Graves, Director, Community Corrections Services, Kansas Department of Corrections, offered a power point presentation on statewide community corrections data and outcomes. Funding comes through grants that are allocated to their Department and then disseminated to the counties. It is a three-year application process with comparisons offered during that three-year period. Several kinds of audits are carried out throughout the year: comprehensive plan implementation, fiscal, standards, and data. Included in the presentation was a data chart outlining specific funding sources for the corrections program. It was noted that nearly 40 percent of individuals in the corrections program return to the prison system.

Ms. Graves spent time talking about how to implement goals. Ms. Graves mentioned that a primary way to implement goals was to find funding to provide training and education, in order to provide effective intervention, techniques, and evidence based corrections. It was noted that additional monies for community corrections would focus on meeting those goals (Attachment 11).

SB 123 update: Since inception, nearly 4,000 related sentences/cases have been identified and have been worked on in some level. There is a carryover population that allows the levels of the cases, year to year, to be higher than the projected 1,400 in the 2003 SB 123, because of the 18-month-plus long sentencing. Only 10 percent of the offenders entering the program have been revoked for various reasons.

It was asked if information pertaining to long-term change was available to note those not re-entering the prison system at any point after exiting the program. The Sentencing Commission looks at 18, 24, and 36-month history of its success rate. Offenders appear to be lower in risk as they exit the program. That group has increased from 14.3 percent to 46.1 percent. Included in the presentation was a website with more details on the success and progress of SB 123. The reporting period will end November 1 with result statistics to be available in February.

Margie Phelps, Reentry Director, Kansas Department of Corrections, gave an introduction overview to the power point presentation offered by various individuals collectively ([Attachment 12](#)).

Jonathan Ogletree, Director, Shawnee County Reentry Program (pp 2-8 of the power point), began the presentation. Mr. Ogletree noted that the offenders placed in the Shawnee County program have some connection to the county. The program begins 14 –18 months prior to release and consists of case managers, a program specialist, a police officer liaison, job specialists, substance abuse treatment assessor, Kansas housing resource specialist, and an administrative specialist. According to Mr. Ogletree, case management is the key to reducing the risk of prison reentry.

Mary Obregon, Case Manager, Shawnee County Reentry Program (pp 9 of the power point) and ([Attachment 13](#)), outlined the process by which she carries out her duties in the reentry program. She reviewed the entire process of the reentry program. Additionally, some examples were given for offenders who violate and how they bring them back into compliance.

Michelle Montgomery, Program Specialist, Shawnee County Reentry Program (pp 10 of the power point) and ([Attachment 14](#)), explained some specific examples of how the family support program can work well in helping families find solutions to problems that occur when the offenders reenter the general public.

Sally Frey, Program Director, Sedgwick County Reentry Program (pp 11-17 of the power point), explained the process by which they developed their reentry program in Sedgwick County. She spent time talking about the Sedgwick County program and delivery of services. One of the main differences between Sedgwick and Shawnee counties is the larger number of offenders in Sedgwick County. Employment for the offenders is often difficult for them to find as they exit prison. There are a number of businesses needing workers, specifically in the construction area, and the Sedgwick County program spends time working with these companies to exhibit that some of the offenders exiting the prison system are prepared to enter the work force as viable workers. They anticipate having the program up and running in four area facilities, El Dorado, Winfield, work release in Wichita, and Hutchinson, so that the offenders are close to the area where they will be released and the reentry process is easier and more effective. Additionally, the accountability panel is a key component to the success of their program.

Sedgwick County also is working on risk reduction that is changing the culture of the correctional environment with training offered to all workers in the facilities. The key element is being motivated by the positive as opposed to punishment. So far, there have been 30 volunteers from the correctional facilities to oversee this idea.

Erika Niles-Plumlee, Case Manager Coordinator, Lansing Correctional Facility (pp 18-23 of the power point), talked about the program that is set up in the Lansing facility. Their services target high risk inmates within the 14-18 month reentry time, helping them find all the necessary documents and services needed to integrate into society. In addition, they have specific care offered to those offenders with particular mental and physical problems.

Terry Hund, Topeka Parole Officer for the Northern Parole Region (pp 24-30 of the power point) and ([Attachment 15](#)), spoke on issues with regard to integrating offenders on release back into their community. Topeka has integrated the use of many volunteer organizations and community resources. Additionally, these organizations provide feedback as to which resources work and which do not. Ms. Hund also talked about the screening process of volunteers and the training needed to be successful.

Margie Phelps, Reentry Director, Kansas Department of Corrections (pp 31-40 of the power point) and ([Attachment 16](#)), talked about where the program is going and focused on the release and return trends in Kansas. She commented that substance abuse, as well as other high-risk areas, needs to be addressed during reentry. She emphasized that offenders must be treated individually, based on their individual needs.

Ms. Phelps addressed the issue of funding. Currently, Shawnee County is funded by federal money that runs out in October with any deficits funded by the state. The Wyandotte program is two-thirds funded by the state with one-third coming from local funding agents. Ms. Phelps stated that it is her hope that the case managers and program directors will work with one another to help the offender reentry program be successful. The ultimate reentry success is helping the communities these individuals came from and reenter into, to improve their environments so that the success rate increases. She also suggested that the statute that prohibits felons from living in a group home setting be looked at and addressed.

## **Overview of Juvenile Reentry Programs**

Katrina Pollett, Superintendent of Beloit Juvenile Correctional Facility (BJCF), relayed information to the Committee about the reentry of youth into society. From the time youth enter the program, they are being prepared for release. One key item looked at is housing for the youth upon their exit. Additionally, they work with the youth on basic issues such as finding a place to live, health insurance, job placement possibilities, and goal setting. Another key issue addressed is drug and alcohol addiction. Statistically, 52 percent of the youth are addicted or have dependency issues. BJCF works with the youth on socially appropriate behavior, doing a lot of role playing games that enable them to enter the community successfully. They work on the reality of the monetary costs of general living and for training or college expenses. Each facility has vocational training classes that are offered to the youth. Thirty days prior to release a series of things happens to help them enter society with a smooth transition, maintaining contact with the facility for post type continuity of services they have been receiving while in the juvenile facility ([Attachment 17](#)).

Don Jordan, Commissioner, Juvenile Justice Authority ([Attachment 18](#)), spoke to the Committee on the types of intervention that are put into place to ensure that youth leaving a juvenile correctional facility have access to treatment in their community and are properly reintegrated after leaving the facility. He noted that the bottom line objective is to send youth home at the end of their time at the facilities in a better condition than when they entered.

Pam Weigand, Director, Douglas County Youth Services, and Judy Culley, Executive Director, The Shelter, Inc. ([Attachment 19](#)), explained the programs in Douglas County. The youth services intention is to keep the children in their homes as opposed to putting them in a juvenile intake facility. Youth Services make assessments at the facility to determine whether youth should be put in a pre-filing diversion program. Youth services are able to redirect many youth before they come into the court system, specifically working closely with youth who are chronic offenders. Post filing deals with a drug and alcohol program diversion. The Attorney General's office is involved in a pre-filing diversion program for misdemeanor crimes. Douglas County has one of the only

programs in the country with a court ordered day school where the children are bussed during the day when they are not allowed in a regular school setting. Currently, there are 28 students in the program, with eight students ready to transition back to the normal school setting. Last year, there were approximately 43 students in a program. After outpatient options have been exhausted, custody placement must be looked at. Youth services tries to keep youth in the local community, but if that is not available, Kansas City and Topeka are considered. The further youth are removed from their community, the less their families are involved, and the more likely a youth will fail at reentry.

Lastly, a citizen review board is used in considering cases and making recommendations to the court, and the court relies heavily on this recommendation when making a final decision. Judge Kittle is the primary judge and Judge Sheppard came up with the working system for the day school plan.

The success rate of youth after they leave the day school was addressed. Ms. Weigand commented that their goal is to graduate students. Additionally, the kids are involved in their home school activities such as sports, art clubs, or other services they need such as drug and alcohol rehabilitation.

Senator Pete Brungardt stated that the Committee would meet again on November 2, 2006 at 10:00 a.m. and November 3, at 9:00 a.m., in Room 514-S of the Statehouse. The meeting was adjourned at 2:55 p.m.

Prepared by Renae Hansen  
Edited by Deb O'Neil and Reagan Cussimanio

Approved by Committee on:

December 22, 2006  
(date)