

MINUTES

JOINT COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE OVERSIGHT

November 7-8, 2007
Room 313-S—Statehouse

Members Present

Representative Tim Owens, Chairman
Senator Pete Brungardt, Vice-Chairman
Senator Karin Brownlee
Senator David Haley
Senator Phil Journey
Senator Jean Schodorf
Senator David Wysong
Representative Bob Bethell
Representative Doug Gatewood
Representative Jerry Henry
Representative Dan Johnson
Representative Jim Ward
Representative Jason Watkins

Members Absent

Senator Greta Goodwin

Staff Present

Reagan Cussimanio, Kansas Legislative Research Department
Athena Andaya, Kansas Legislative Research Department
Jerry Ann Donaldson, Kansas Legislative Research Department
Michael Steiner, Kansas Legislative Research Department
Jill Wolters, Office of the Revisor of Statutes
Duston Slinkard, Office of the Revisor of Statutes
Connie Burns, Committee Assistant

Conferees

Beth Mechler, Kansas Department of Corrections
Helen Pedigo, Kansas Sentencing Commission
Mike Gaito, Kansas Department of Corrections
Chuck Simmons, Kansas Department of Corrections
Jane Carter, Kansas Organization of State Employees

Darrell King, Kansas Organization of State Employees
Greg Hopkins, Kansas Organization of State Employees
J. Russell Jennings, Juvenile Justice Authority
Anne deShazo, JJA Administrative Contact
Phil Lockman, Wyandotte County Community Corrections
Stan Curtis, Juvenile Intake, Brown, Nemaha, and Doniphan Counties
Venice Sloan, Juvenile Intake, Brown, Nemaha, and Doniphan Counties
Margaret Moore, Outreach
Yan Black, Beyond Bars

Others Attending

See attached list.

Wednesday, November 7, 2007 Morning Session

The meeting was called to order by Chairman Owens.

Discussion of Undocumented Inmates

Beth Mechler, Kansas Department of Corrections (KDOC), provided the Committee information on undocumented inmates ([Attachment 1](#)). Three main goals were established with Immigration and Customs Enforcement (ICE) to achieve uniformity and consistency across the state, Correctional Facilities, and Central Office in the processing and handling of ICE detainees, such as:

- Clarity in the identification and processing of foreign born Inmates to allow for successful standardization and tracking of those persons;
- Consistency in the place and timeliness of identifying these inmates in KDOC and information received from ICE pertaining to true names, alien (A) numbers, KDOC numbers and alias information; and
- Continuity with the follow-through of tracking and final disposition of each foreign-born subject while ensuring a systematic reciprocal agreement between KDOC and ICE.

Guidelines were established and followed to achieve those goals. The procedures are as follows:

- Identifying, reporting, and tracking of foreign-born inmates which includes upon intake into KDOC. The face sheet of all foreign-born subjects will be faxed to the facilities designated by the ICE office immediately upon completion for review, investigation, and disposition regarding the issuance of a detainer by ICE;
- Tagging by ICE of all submissions which are a KDOC admission and responding to all inquiries in a timely manner with the results of the findings and proposed

action;

- Not allowing “No Plans” as the accepted practice on inmates being released to an ICE detainer, as deportation is no longer the norm with the increased illegal immigrant population in the country. Secondary plans will need to be obtained and submitted unless ICE has assured deportation;
- Allowing ICE’s access to Private Kasper identification in a more readily identifiable manner, with the identifiers needed (SID and FBI numbers) to effectively do so;
- Utilizing video teleconferencing in KDOC facilities to allow ICE investigators and federal judges to obtain the signed deportation waiver and save taxpayers thousands of dollars in vehicle expenses;
- Having early detection and identification capabilities, as well as access to information to complete the immigration process of those to be housed at KDOC eliminates added jail costs for each immigrant for 90 to 180 days; and
- Gaining the ability for KDOC to work with ICE in community release supervision while those remaining in the USA upon release must report monthly to immigration, and requesting consideration by the Kansas Parole Board to place a special condition on those subjects to report to ICE officials as directed and follow those recommendations.

The Committee requested further information at the October meeting including the following:

1. How many illegal aliens are in KDOC custody?

As of October 2007, KDOC had 307 foreign-born offenders in custody. Approximately one year ago, the KDOC had 197 foreign-born offenders in custody; however, KDOC does not have the ability to track illegal aliens because KDOC does not know whether a particular offender is an illegal alien. In addition, this number can occasionally include military personnel children born outside of the country or other small-scale deviations from what is normally considered foreign-born persons.

2. What were the crimes of conviction committed by the foreign born?

The most frequent crimes of conviction for foreign-born offenders are indecent liberties with a child under 14 years of age; possession of narcotics, sale of narcotics, battery and aggravated battery; aggravated indecent solicitation of a child; or murder 1 or 2.

3. What is the treaty process with Mexico?

The United States has numerous treaty agreements with Mexico, as with many other countries, as determined by the *United States Constitution*. Those treaties are not under KDOC purview. There are special processes for binding treaties ranging from those of the United States State Department, which represents our country’s interests abroad, to Department of Homeland Security agreements that are approved by the President of the United States.

4. When does ICE lodge detainees?

The KDOC policy and procedure regarding ICE detainees is represented in IMPP 5-109.

Statutes and procedures were provided.

Juvenile Population Projections

Helen Pedigo, Executive Director, Kansas Sentencing Commission, provided information on the juvenile population projections ([Attachment 2](#)). The Placement Matrix chart was provided on offender type, offense level, length of stay, and aftercare term. Slides reflecting FY 2007 JJA Correctional Facility admission characteristics were presented as follows:

- Admission by gender;
- Admission by race;
- Admission by ethnicity;
- Admission by age;
- Admission by type, such as conditional release violator, new court commitment, and conditional release violator with new charge;
- Admission by placement matrix;
- Admission by offense type;
- Admission by person/nonperson; and
- Admission by drug/nondrug.

Admission trends for individual years 2003 through 2007 also were reflected.

The Committee questioned the low drug admissions. The Director stated that there could be several reasons; such as:

- The drug offense was not the primary offense for incarceration;
- Drug rehabilitation already was established; and
- The trend is that juveniles may be addicted to drugs, but it is not as prevalent as on the adult side.

The Chairman requested information on how many offenders are there for a sex offense, and the impact of Jessica's law which applies only to those 18 years and older.

The projections reflect a slight increase over the next 10 years.

Prison Expansion Costs

Mike Gaito, Manager of Facilities and Capital Improvements, KDOC, provided information on prison expansion costs ([Attachment 3](#)). The methodology used by KDOC to estimate cost for construction and renovation projects is common to both the public and private sectors. User or owner needs are identified during the programming process, and the needs may include additional space, infrastructure upgrades or replacement, and updated equipment. Space needs are calculated using net assignable square feet and the increases to gross square feet by using a net to gross ratio. The gross square feet provide for corridors, restrooms, mechanical spaces, and other areas not usually assigned net square feet.

The KDOC uses historical data from similar housing units constructed in other locations as well as new buildings. KDOC also uses Means Cost Data reference books and contacts other

departments within corrections to see whether they have constructed similar projects. Determining estimated cost for renovation projects is more difficult than estimating new construction projects since there are conditions that may increase costs that become known once the construction begins and walls, ceilings, and floors are uncovered. Once the construction costs have been determined, inflation costs are calculated and applied based on the projected bid date for the project. Soft costs also are added to the project. These costs include architectural fees, land surveys, construction testing, furnishings and equipment, contingency, and printing. Construction costs plus the other soft costs gives a total project cost which is then presented to the Governor and Legislature for funding.

There are five formal review meetings with the architectural team and the owner, and during these reviews an updated cost estimate is required. The criteria for using inmate labor is whether that renovation may use inmate labor, because it is inside the perimeter, and new construction is done by the contractor.

Standard contracts used by the State of Kansas provide the option to the owner for the architect or engineer to redesign the project at no additional cost when the bids exceed the estimates. This is a significant incentive to architects and engineers to diligently monitor cost estimates. A project request explanation was provided.

Briefing on El Dorado Correctional Facility

Chuck Simmons, Deputy Secretary for Facilities Management, KDOC, provided information that KDOC has on the recent escape of two inmates in the administrative segregation units, which provide the highest level of security at the facility. KDOC believes the escape was with assistance from a dismissed employee of the facility. The guard was dismissed for undue familiarity. The two inmates were in an outside exercise yard, outside of cell house "B"; the inmates cut through the inside wire and the person who assisted them cut the outside wire, with the alarm wire being cut last. The alarm sounded and control center found a hole in the fence. KDOC believes there was a car parked over the hill. A follow-up includes additional strands of razor wire and a guard tower which will be staffed during the exercise time. KDOC feels confident that the escape would not have taken place had there not been outside assistance, but has not been able to question the inmates and ex-guard.

Afternoon Session

Safety and Working Condition for KDOC Employees

Jane Carter, Kansas Organization of State Employees (KOSE), spoke on the difficulties of the job and how these jobs are critical for the safety of the citizens of Kansas ([Attachment 4](#)). In response to the daily dangers facing state correctional facility employees, the KDOC and KOSE members have worked to schedule forums in order to discuss safety concerns and strategies for improving workplace conditions, and have held forums in Lansing and El Dorado.

The main issues are retention, inmate violations, and safety. Staffing problems reflect the need for better wages to improve retention at every facility in Kansas, and is a matter of public safety across the state. Additionally, part of the retention issue is the workplace stress and daily challenges that are difficult for anyone to handle. In 2005, Kansas reported 46 assaults, but Minnesota reported only 15 assaults, Iowa had 33, and Missouri reported 71 but has three times the inmate population of Kansas.

Darrell King, KOSE, also a corrections officer at Topeka Correctional Facility (TCF) ([Attachment 5](#)), spoke about issues that affect the safety and the retention of staff. He said high turnover of officers when staff are forced into overtime has severely lowered the morale of the officers. Staff will call in sick out of fear of being forced into overtime so they are able to spend time with their friends and family. In the past, the Topeka Correctional Facility has asked for funding for more staff, and would like the Committee to know how desperately that staff is needed. At TCF, another problem is inmate offenses and sanctions for breaking the rules and regulations of the facility or the Department. When an offender gets into a fight, the offender gets little to no time in segregation.

Greg Hopkins, KOSE, is a corrections officer at El Dorado Correctional Facility (EDCF) ([Attachment 6](#)). EDCF pays 353 uniformed staff members to guard 1,350 of the State's worst offenders, and is the only facility in the state to monitor long-term segregation. EDCF oversees 384 inmates who are considered to be the State's most violent, aggressive, predatory and uncontrollable inmates; they present a threat to themselves or to others, and require lockdown status for 23 hours per day. Most of the batteries on correctional officers occur in the segregation units. Of the 353 uniformed staff members, more than one third will have quit within one year of service. Safety is a huge concern for all staff members at EDCF and at other correctional facilities in Kansas. In addition to the training and staffing levels, there is the need for more protective gear.

Shawn Pokorski, KOSE, is a corrections officer at Larned State Hospital ([Attachment 7](#)). He provided written testimony in support of more training for personal self-defense.

Overview of Juvenile Community Corrections and Core Programming

J. Russell Jennings, Commissioner, Juvenile Justice Authority (JJA), provided answers to questions and some clarification to the morning presentation and spoke to the Committee on JJA Community Core Funding Methodology ([Attachment 8](#)).

The JJA database is not able to identify the technical violations, but JJA can identify some recurring instances *i.e.*, hot UA's (drugs within the inmate's system), failing placements either because of behavior or absence (running away); often the youth are placed in a youth residential center and may offend again while there against a staff member or another youth, or use drugs. Because the originating county is a different county and the offense is done at the facility, the county does not want to prosecute them; consequently this does not give JJA a true picture of their inmates' behavior history and JJA is not able to analyze their behavior through the judicial system. On the question of substance abuse through the Juvenile System, information was taken recently from research done on 535 youth, and 16 percent also had a drug charge not necessarily associated with the main charge. Every youth is evaluated using the juvenile version of the adult LSI-R, a risk assessment tool, used by KDOC. A moderate risk or high risk for substance abuse was reflected at 93.4 percent, with 49.7 percent for moderate risk, and 43.7 percent for high risk. This data suggests that all are at some level of need for substance abuse care.

JJA has distributed funds for core programming in a number of ways. The methodology used in the past five years has remained unchanged, although there have been various isolated adjustments and decreasing funding levels. The distribution of funds no longer bears a correlation to the relative workload experienced in communities. The current distribution-of-funds methodology creates inequities in the level of funding for communities. JJA will be implementing a new funding methodology to address these inequities. This methodology has been presented to all JJA Administrative Contacts who have agreed the formula is sound and wholeheartedly support the change in distribution of funds to ensure the process is fair for all districts. The new funding methodology provides for the following:

- Use of reliable data: funding decisions will be based upon data provided by the communities through the JJA CASIMS database.
- Mitigation of Changing Caseloads and Stability which utilizes data across years to provide an updated three-year average each year to account for unusual instances of caseload change.
- Sustainability, which provides a means to distribute funds in an equitable manner without regard to the actual use of funds to be allocated.
- Measurement and Weight of Relevant Data Points in which data points are ascribed weighted values according to the work related to each of the data points measured.
 - Data for each county will be aggregated to the judicial district level and weighted as follows:
 - Annual Total Intakes, at 33 percent weighted value;
 - New Youth Plans entered, at 17 percent weighted value; and
 - Average Daily CM and ISP Population, at 50 percent weighted value.
 - Base Funding Assumption, in which providing minimum base funding for the three core program components for each judicial district, without regard to data values, assures a minimum level of services will be funded in all areas (base funding at \$107,000 per judicial district).

The funding for core programs has been level or decreasing over the past five years; with 85 percent of expenses associated with community program operations being dedicated to personnel costs, decreased and level funding has resulted in fewer people to deliver necessary services. Fewer people to deliver services results in decreased effectiveness of the services provided and, with decreased effectiveness, the youth are less likely to be redirected and may penetrate more deeply into the juvenile justice system. The end result of ineffective community interventions is a greater number of youth entering juvenile correctional facilities and out-of-town placements.

To address this issue, JJA has included in its FY 2009 budget request of \$4.5 million, \$3.5 million to be dedicated to increasing the amount of core funding distributed to communities, and \$1.0 million would be available as incentive funding. The agency believes local units of government may be more likely to become engaged in direct financial support through an incentive funding match grant scenario. JJA's vision is for the communities to determine prevention and intervention programming and which programs would be enhanced. Implementing these programs with new dollars would be matched by the state. Guidelines, map, charts, and language for the appropriations bill were provided.

Anne deShazo, First Judicial District JJA Administrative Contact, 1st Judicial District Prevention Services Coordinator, Juvenile Corrections Advisory Board Chair, provided the Committee a copy of the report from the First Judicial District ([Attachment 9](#)). The main points of the report include the following:

First District Juvenile Justice Reform Progress Report 2005 -2007

- Consistently evaluate trends through standard outcome measures;

- Determine future strategy;
- Document progress toward reform goals;
- Connect collective efforts to desired impact;
- Update 1998 Comprehensive Strategic Plan;
- Increase public understanding and participation in public system; and
- Reference information for funding requests.

First Judicial District Recommendations:

- Celebrate and continue progress;
- Support increased SBG Graduated Sanctions Funding and restructured distribution methods;
- Support ongoing robust SBG Prevention Funding;
- Seek stable funding for local interventions;
- Strengthen outcome definitions and data collection;
- Strengthen family domain services, including the Grandparent (kinship) initiative;
- Increase referrals from intake, focus Children in Need of Care trends;
- Seek innovative alternatives to reduce out-of-county transportation costs.

Kansas Reform Objectives:

- Prevent youth from entering the juvenile justice system;
- Provide community supervision for youth who are involved in the juvenile justice system;
- Promote public safety by holding youth accountable for their behavior, and improve the ability of youth to live productively and responsibly in their communities.

Continuum Coverage:

- Prevention Initiative;
- Assessment, Referral and Intervention;
- Community Supervision for Adjudicated Youth;
- Residential and Treatment Placement;
- Juvenile Correctional Facilities;
- Reintegration;
- Many variables impact youth development.

Phil Lockman, Director, Wyandotte County Community Corrections, a strong supporter of the Juvenile Justice Authority, provided information to the Committee ([Attachment 10](#)). He said that the leadership and support local partners have received from the Commissioner and his staff have injected new life into the Juvenile Justice Reform Movement in Kansas, but unless monies in the neighborhood of \$3.5 million are injected into core programs in the upcoming legislative session, there will be devastating harm done to the local programs that eventually will increase the number of juveniles entering out-of-home placement and correctional facilities.

Venice Sloan, Director, 22nd Judicial District, explained to the Committee some of the issues that affect jobs. The job is to provide services to four counties with four different county attorneys, four county sheriffs, four different judges, thirteen different municipal law enforcement agencies with no consistency between counties and agencies, and none of these entities are held accountable to

a higher authority. Practices and attitudes change each time the county line is crossed (Attachment 11). Every juvenile is assessed for risk factors and, if a need for services is indicated, every family is referred to what community services are available. Very few families act upon those referrals. The most pressing need is for mental health services. Another issue is the difference between counties and the state and what is expected of employees and the benefits and wages received. County Commissioners feel that the programs are mandated by the state and, not wanted by their constituents, and commissioners have no intention of contributing financially. Although this is rural Kansas, the same problems are experienced elsewhere.

Stan Curtis, Juvenile Intake, Brown, Nemaha, and Doniphan Counties, testified that placement is the biggest issue for the counties. Mr. Curtis felt that part of the problem is the punitive way of thinking, which would put the youth offender in jail and not get him or her any help.

Thursday, November 8 Morning Session

Chairman Owens opened the meeting and acknowledged Reagan Cussimano, Legislative Research Department for her great work with the committee, not realizing that Wednesdays meeting was Reagan's last day working for the legislature. He also thanked the staff for the great work with the Committee during the interim.

Overview of Juvenile Justice Authority Programming for the Reduction and Prevention of Juvenile Crime

J. Russell Jennings, Juvenile Justice Authority Commissioner, provided the Committee an overview on the new initiatives and goals, and addressed questions on the funding portion (Attachment 12). The mission of the JJA is "Changing lives of at risk youth and their families for safer, stronger Kansas communities" and, to achieve this mission, JJA is very focused on how to prevent youth from entering the juvenile justice system and, for youth already in the system, to prevent them from penetrating deeper into the system.

Factors emphasized to the Committee included the following:

- Quality assurance oversight process to track critical incidents in residential group homes. Some examples of critical incidents include AWOL, youth injuries, youth sickness, and youth self-harm incidents.
- Routine site-visit process for residential group homes which allows JJA staff to be on the ground talking with staff and youth at the facilities to ensure youth are receiving the highest quality care.
- Performance Based Standards (PBS) in residential group home settings. PBS will allow facilities, as well as the state, to track outcomes, gauge staff and youth feelings about the programs, and compare programs against nationwide data using statistically sound methodology.
- Project Star (Success Through Achieving Reentry). JJA was awarded a \$1.0 million grant over three years to improve reintegration of youth from juvenile correctional facilities and residential group home settings back into the

communities.

- Correctional Foster Care. JJA is beginning to draft a service definition that will allow for replication of this service statewide so that any provider who agrees to abide by the contract terms may provide the service.
- Juvenile Corrections Advisory Boards (JCABs) revitalization and their community planning efforts. A federal grant has allowed JJA to hire one person whose sole responsibility will be to reach out to JCABs and assist them in their community planning process. The goal of the community planning process is to utilize Communities that Care (CTC) data to ensure the prevention and intervention programs in each community address the risk factors identified by youth in the community. This effort will enhance JCAB activities statewide and will help ensure communities understand the need to target their prevention, intervention, and other juvenile programming to the at-risk behaviors being engaged in by youth in the community.

JJA receives \$9.0 million each year from the Children's Initiatives Fund and, of this amount, \$5.4 million is dedicated to prevention programs across the state. Information on state prevention block grants and the Juvenile Delinquency Prevention Trust Fund was provided to the Committee.

Evaluation of the programs and outcome measures indicates the research person will be able to help with that. Greenbush has evaluated and posted the questions and information on its website www.ctcdata.org

The Commissioner has submitted paperwork for a legislative change from one Deputy Superintendent at the Juvenile Justice Complex and no Deputy at the other facilities. The change would be to add a Deputy Superintendent at each of the four facilities. This would be for succession planning and help with the attrition rate.

Beyond Bars

Yan Black, Beyond Bars Manager, updated the Committee on Girl Scouts Beyond Bars (GSBB) ([Attachment 13](#)). In the past few years, close to \$5 million in federal and private grants have been secured to support local Girl Scout Councils in their efforts to enhance and expand GSBB programs. Current programs emphasize the following:

- The provision of grants to Councils for the expansion of existing GSBB programs and the establishment of new ones;
- The provision of technical assistance designed to foster programmatic innovation among GSBB Councils; and
- The evaluation of longer-term project impact.

Margaret Moore, Membership Outreach Manager, provided a copy of a song that one of the scouts wrote for her mother and what a positive outcome the program has had on the young lady ([Attachment 14](#)).

Committee Deliberations and Recommendations

Committee minutes were distributed and, if there are any changes, Committee members should contact Athena Andaya or Michael Steiner, KLRD, with changes within ten days; otherwise, the minutes will stand approved on November 19, 2007, as presented.

The statutory requirements and topics were provided and reviewed by the Committee.

Recommendation for the LCC Referred Topics:

Topic 1. HIV/AIDS Awareness in Kansas Correctional Facilities

A continuation of education program deemed appropriate between the Secretary of Corrections and the Secretary of Kansas Department of Health and Environment (KDHE) and not to go forward with SB 300. There was a request from the Committee for Staff to provide the number of AIDS cases related to inmates. *The recommendation was moved by Representative Watkins and seconded by Representative Gatewood. The motion was approved.*

Topic 2. Juvenile Justice Community Corrections Core Programming

The recommendation is that the Committee endorse the funding proposed by the JJA that includes caseload, acuity, and the funding plan. *The recommendation was moved by Senator Brownlee and seconded by Representative Johnson. The motion was approved.*

It is the consensus of the Committee that the new JJA Commissioner is doing a great job and they are very pleased with the direction JJA is heading and, the hiring of a research person in its efforts to become a data driven department.

Senator Wysong made a recommendation to introduce legislation to modify the current statutory language which would allow a Deputy Superintendent to be at each of the four Juvenile Justice facilities instead of the one being at the Topeka facility, and to remove language concerning the Topeka Juvenile Correctional Facility and replace the term with Kansas Juvenile Correctional Complex where appropriate. *The recommendation was moved by Senator Wysong and seconded by Representative Watkins. The motion was approved.*

The Chairman asked the Revisor to draft the amendatory language.

Senator Brungardt moved that the Committee endorse the intent expressed by the Commissioner to further educate the counties, sheriffs, and other local officials to get engaged. Senator Brownlee seconded the motion. The motion carried unanimously by the Committee.

The JJA agreed to keep the Legislature updated on the activities of the agency and to provide a comprehensive review during session, as agreed to by the consensus of the Committee.

Vice-Chairman Brungardt spoke about a meeting that was held in Western Kansas on substance abuse treatment in institutions, which is a continuation of the idea of segregating hardened criminals who are incarcerated versus people who can be treated and returned to society, which has been a theme over the past several years and talked about with JJA. This topic intersects with the capacity of the prison system, as well as the number of beds that will be needed and the need for expansion at El Dorado. An ongoing question asked every year is whether this Committee supports private prisons or state-owned prisons. The time may be right to develop some treatment facilities for those who are addicted and incarcerated, before their imminent release on probation, in order to see that they receive treatment and to treat them within the extent allowed by their sentencing

restrictions.

The Chairman stated this was the direction the Committee should be examining as far as legislative recommendations, and has asked the Revisor to draft language on a fourth DUI that would mandate the person go to a facility for substance abuse for 18 months, whether that is a KDOC facility or a private facility. In order to get fiscal information, a bill would have to be in place. Senator Schmidt has an ongoing interest for a facility in Yates Center. The Speaker has asked about an expansion at the Stockton facility and in conjunction with Norton in the Northwest part of the state. Representative Henry has addressed existing facilities at Atchison and the available Alcohol and Drug programs that are there. Valley Hope is there and was visited. The issues of individuals being in programs that are closer to home was discussed. The Sentencing Commission has testified in House Judiciary that if there was a bill passed in which the projections would be an increase in bed space the first year of 1,000 beds and by the tenth year of 4,000 beds, it would be an incredible amount of bed space. If the problem is that big, then the Legislature would be remiss in not doing anything about it.

Committee discussion included the possibility that everyone would go to trial, rather than be sentenced to a substance abuse facility for treatment. Another item dealt with whether discretion is going to be taken away from the courts. Further discussion revolved around post incarceration and the successful reduction of recidivism, such as:

- High school education;
- Substance abuse and mental illness treatment;
- Skill development upon release;
- Military requirement reduction; and
- Dog programs which help the inmate and the overpopulation of pets.

Discussion ensued on SB 123 and offenders that are incarcerated under the prior law and taking up beds, and whether those inmates could be rehabilitated.

Senator Brownlee moved that as a Committee mandate, the enforcement of stiffer penalties for a 4th DUI. Representative Bethell seconded the motion. The motion carried but not unanimously.

A request was made for Secretary Werholtz, KDOC, to provide information on the number of assaults on Corrections Officers, staffing levels for KDOC facilities, and staffing levels of facilities in other states and how Kansas compares with the other states to the Chairman or to the Committee if in Session.

The Sex Offender Policy Board (SOPB) is looking at an issue that Commissioner Jennings brought up at the August meeting on Judges making determination of sentencing outcomes without the benefit of having a comprehensive look at the youth's risk to the community. The SOPB will make a recommendation on best practice and then the Committee would have the opportunity to recommend a study for the next interim.

The past three years, the Committee has taken a position on private versus state-owned facilities, and has been on record in favor of state-owned facilities. The Committee made no comment at this time on this subject.

The Committee meeting was adjourned.

Prepared by Connie Burns
Edited by Jerry Ann Donaldson

Approved by Committee on:

February 12, 2008
(date)

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