

Approved: 3-18-10
Date

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Pat Colloton at 1:30 p.m. on January 14, 2010, in Room 144-S of the Capitol.

All members were present except:

Representative Stan Frownfelter- excused
Representative Lance Kinzer-excused

Committee staff present:

Sean Ostrow, Office of the Revisor of Statutes
Jason Thompson, Office of the Revisor of Statutes
Athena Andaya, Kansas Legislative Research Department
Jerry Donaldson, Kansas Legislative Research Department
Jackie Lunn, Committee Assistant

Conferees appearing before the Committee:

Secretary Roger Werholtz, Department of Corrections

Others attending:

See attached list.

Secretary Roger Werholtz, Department of Corrections

Chairperson Colloton opened the meeting explaining there would be a change in the agenda for today. Judge Johnson, Kansas Sentencing Commission, will be giving an overview of the kind of work the Kansas Sentencing Commission does; but first she will take bill introductions. She introduced Richard Samaniego, representing the County Attorneys Association. Mr. Samaniego requested a bill regarding offender registration; amending K.S.A. 22-4906 (d).

Representative Bethel made a motion to accept the bill request of the County Attorneys Association regarding offender registration; amending K.S.A. 22-4906 (d) as a Committee bill. Representative McCray-Miller seconded. Motion carried.

Chairperson Colloton introduced Helen Pedigo, Executive Director, Kansas Sentencing Commission, for a bill introduction. Ms. Pedigo produced written copy (Attachment 1) and explained the Kansas Sentencing Commission is requesting a bill to correct a problem identified in *State v. Luttig*, a Court of Appeals case.

After Ms. Pedigo explained the request, there was a short discussion.

Representative Patton made a motion to move Ms. Pedigo's request for a Committee bill to correct a problem identified in *State v. Luttig*, a Court of Appeals case. Representative Pauls seconded.

A short discussion followed and Chairperson Colloton called for a vote. **Motion carried.**

With no further bill request, Chairperson Colloton introduced Judge Johnson, the head of the Sentencing Commission.

Judge Johnson stated that the Sentencing Commission has many jobs, they recommend policy and brings it to the Legislature. They also decide how many beds the Secretary of Corrections will need and respond to the Legislators request and the Department of Correction's requests. They have state wide involvement with probation offices and help with training. He stated the Sentencing Commission has a very dedicated staff enabling them to meet the needs of the duties of the Sentencing Commission.

Chairperson Colloton introduced Roger Werholtz, Secretary, Department of Correction, announcing he had just received the award of *Secretary of Corrections of the year* by ASCA. Secretary Werholtz presented a power point presentation on the Kansas Department of Corrections. He presented written copy of his power point (Attachment 2) along with *FY 2010 BUDGET ADJUSTMENTS-DEPARTMENT OF CORRECTIONS (Attachment 3)* and *SUMMARY OF GOVERNOR'S BUDGET RECOMMENDATIONS-FY 20 10*. Secretary

CONTINUATION SHEET

Minutes of the House Corrections and Juvenile Justice Committee at 1:30 p.m. on January 14, 2010, in Room 144-S of the Capitol.

Werholtz started his presentation is an update on the Kansas Department of Corrections and the general issues they are facing. He explained that the prison population has leveled out and is starting to grow again. Over the next three years the male prison population will increase to the point that they will be out of prison space; unlike the female prison population which will not be out of bed space for the next decade. There was discussion and questions with Secretary Werholtz and the Committee during his presentation. Chairperson Colloton asked that Secretary Werholtz to have their legal department to put together recommendations regarding their concerns with the failure to register and bring it back to the Committee in a couple of weeks. Secretary Werholtz stated they would be able to get that done. There was discussion on the closing of one of the facilities of the Kansas Department of Corrections and what it would take to reopen in order to have more male beds available. Secretary Werholtz continued with his presentation explaining they need to restore Offender Treatment, Education and Support Services to FY 2009 levels. He stated to the Committee that the Kansas Department of Corrections lost 63% of all state funding for programs compared to FY 2009 and in FY 2010 they lost 95% of SGF for programs as compared to FY 2009. Secretary Werholtz continued to brief the Committee on how the budget cuts are affecting the Kansas Department of Corrections and how they are trying to adjust and what they will need to do. The Committee had several questions during Secretary Werholtz's presentation.

Due to the time restraints and all the questions of the Committee, Chairperson Colloton asked Secretary Werholtz if he could make his presentation in two parts and come back sometime to present his second part. Secretary Werholtz stated he could.

Chairperson Colloton adjourned the meeting at 3:10 p.m. with the next meeting scheduled for January 19, 2010 at 1:30 p.m. in room 144-S.



KANSAS SENTENCING COMMISSION

Honorable Ernest L. Johnson, Chairman
Helen Pedigo, Executive Director

MARK PARKINSON, GOVERNOR

HOUSE CORRECTIONS AND JUVENILE JUSTICE OVERSIGHT
The Honorable Patricia Colloton, Chair

Legislation Request: Criminal History
Helen Pedigo, Executive Director
January 14, 2010

Madam Chair and committee members, thank you for the opportunity to request legislation. The Kansas Sentencing Commission is a 17-member board that develops sentencing policy recommendations. The Commission is comprised of criminal justice professionals, including local and state partners, members of all three branches of government, and the public. The Commission requests one bill be introduced through this committee.

The bill would corrects problem identified in *State v. Luttig*, 40 Kan. App. 2d 1095 (2009). The case outcome was that a mandatory 45 days jail as a condition of probation on a third forgery conviction is a penalty enhancement, and as such, prior forgeries may not be used towards calculation of the offender's criminal history, resulting in a reduction of the underlying prison sentence. The Kansas Sentencing Commission does not believe this was the intent of the original drafters. The legislation would strike the phrase "or applicable penalties", from K.S.A. 21-4710(d)(11) and allow for use of priors as criminal history, thereby allowing for a more accurate criminal history of the offender for sentencing purposes. This bill is drafted as **9rs1231**.

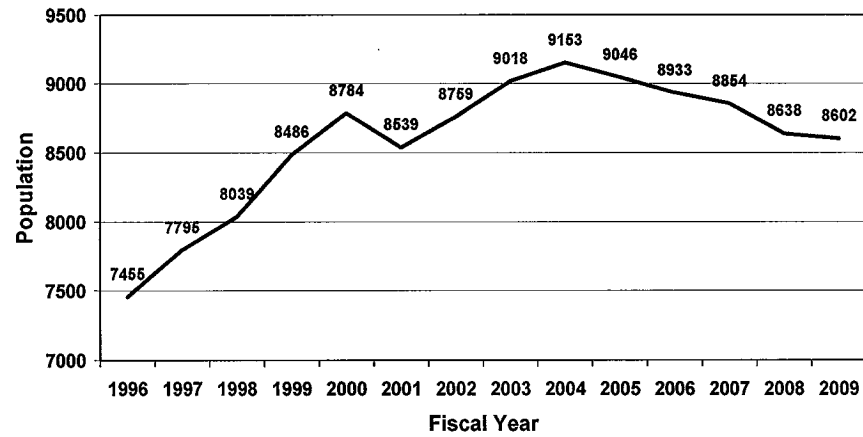
Thank you for your consideration of this request.

Corrections and Juvenile Justice

Date: 1-14-10

Attachment # /

KANSAS PRISON POPULATION TRENDS Total Prison Population



Source: KDOC prison population files
Note: Federal female inmates housed in KDOC are excluded

1

PRISON POPULATION MONTHLY MONITORING REPORT FY 2010 OFFICIAL MODEL

Month/Year	Projected FY 2010#	Actual	Difference	Percent Error
July 2009	8624	8578	46	0.54%
August 2009	8619	8618	1	0.01%
September 2009	8640	8627	13	0.15%
October 2009	8640	8637	3	0.03%
November 2009	8633	8648	-15	-0.17%
December 2009	8649	8636	13	0.15%
January 2010	8650			
February 2010	8653			
March 2010	8667			
April 2010	8683			
May 2010	8674			
June 2010	8689			

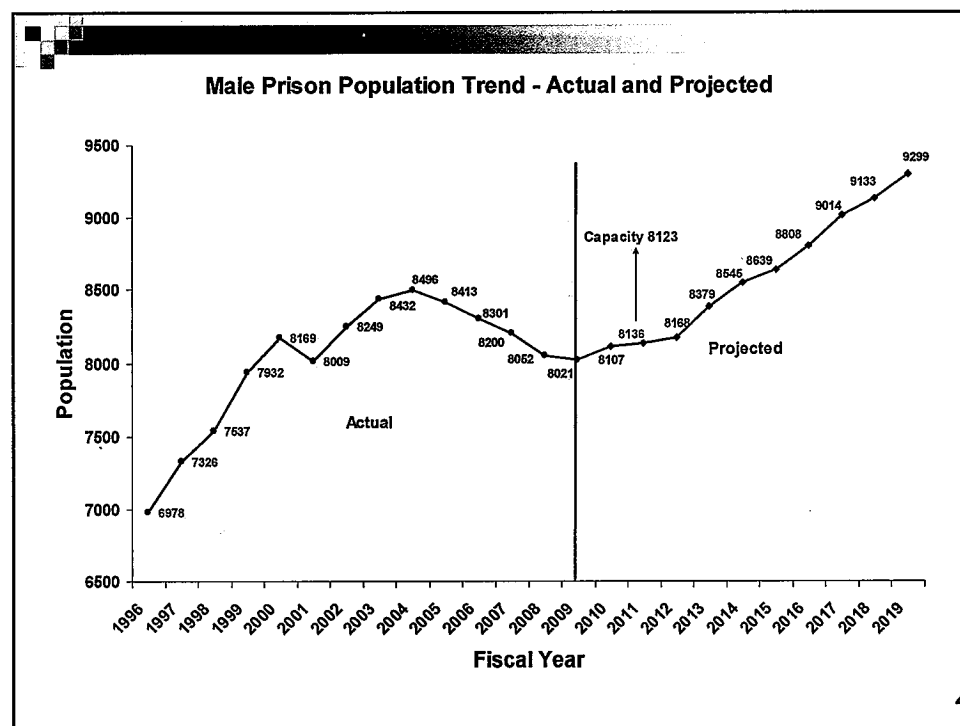
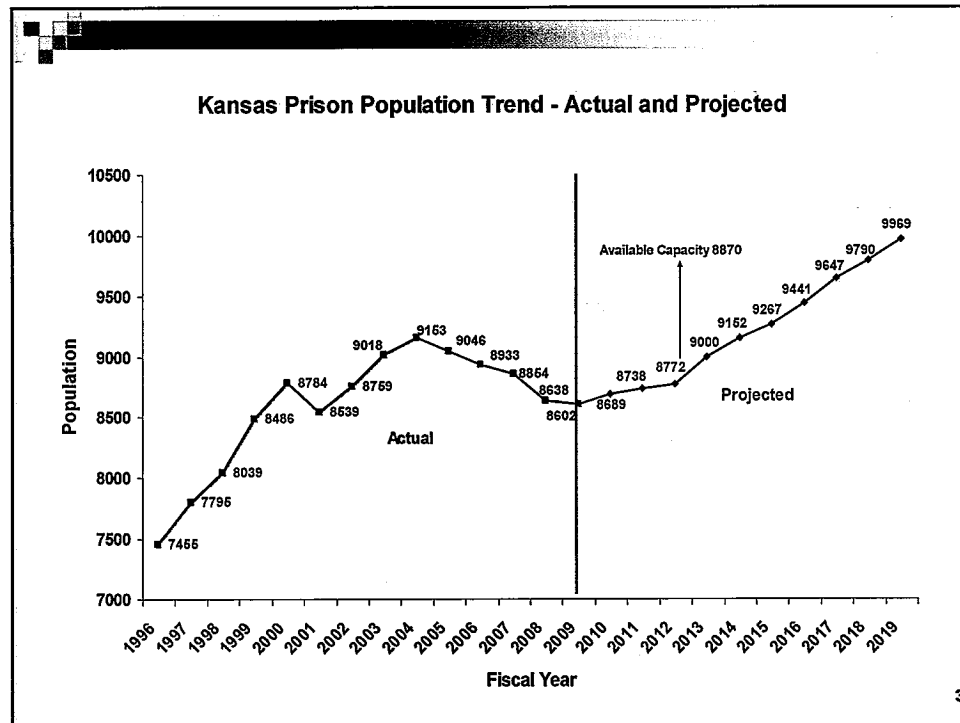
Note: The projected population is from FY 2010 prison population projections and the actual population is from DOC monthly offender population reports. Federal female inmates housed at Topeka Correctional Facility are excluded.

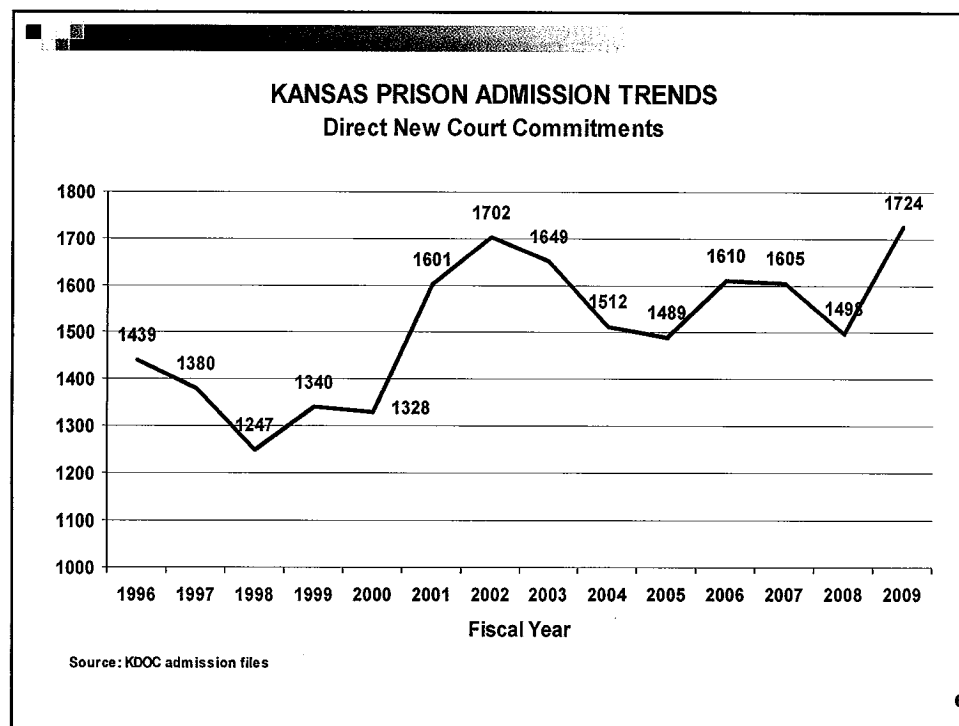
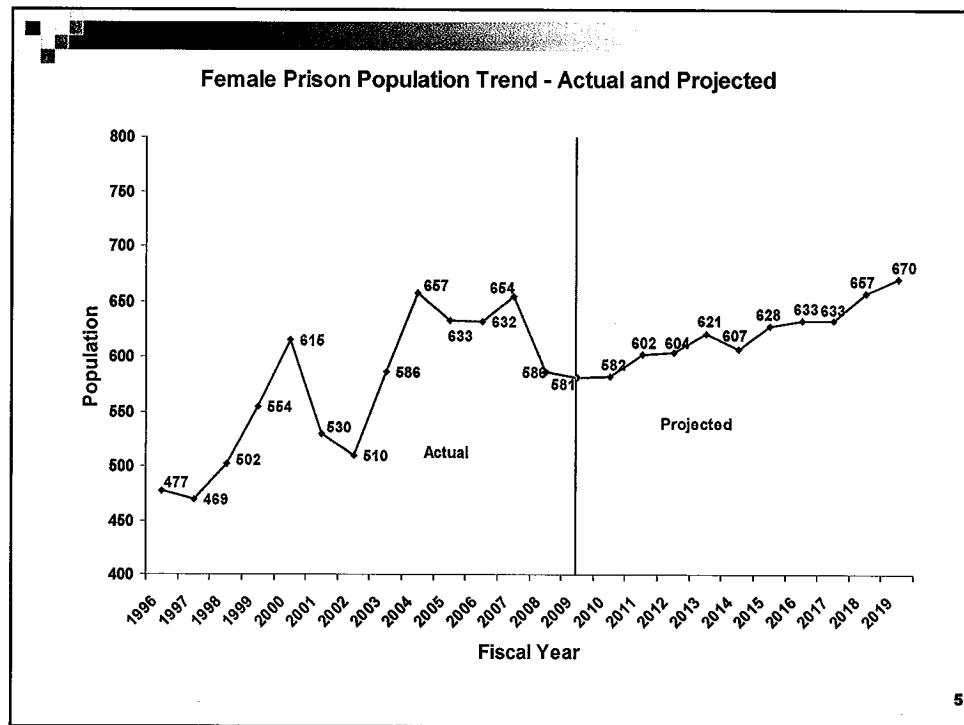
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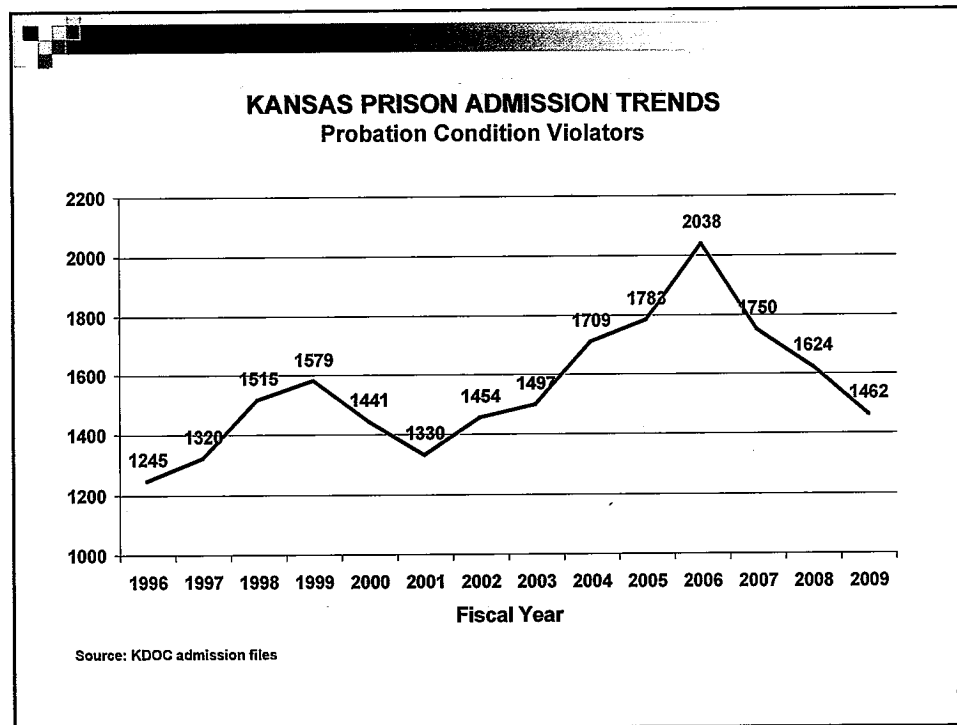
Corrections and Juvenile Justice

Date: 1-14-20

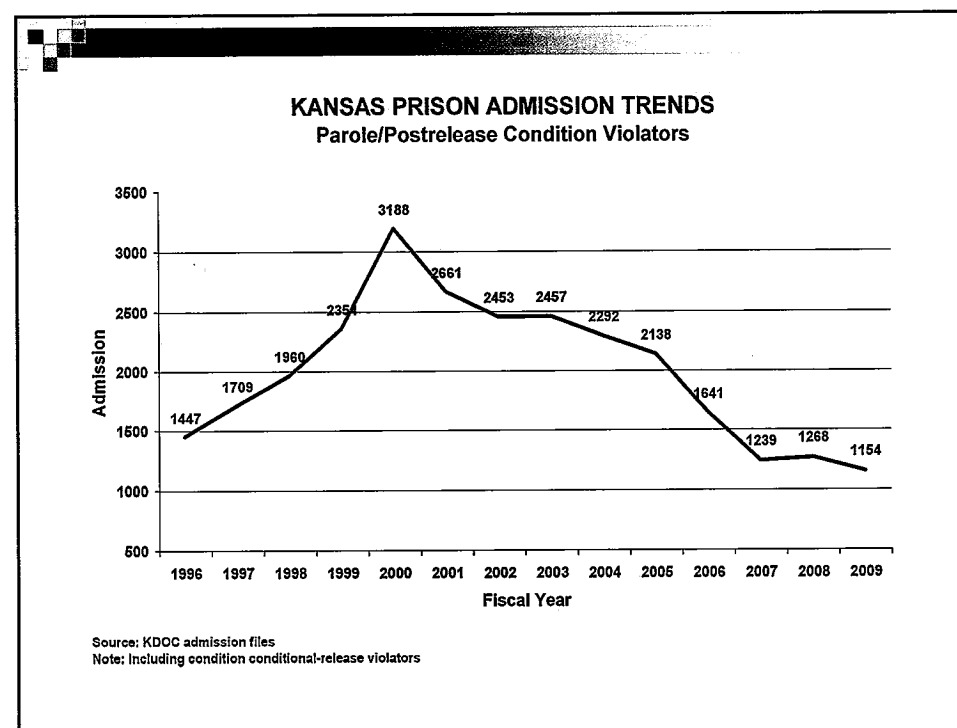
Attachment # 2







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Unresolved Issues

- Restore Offender Treatment, Education and Support Services to FY 2009 levels
 - Harder than it sounds
 - KDOC experienced major reductions in FY 2000 which have never been fully restored
 - In FY 2010 we lost 63% of all state funding for programs compared to FY 2009
 - In FY 2010 we lost 95% of SGF for programs as compared to FY 2009
 - FY 2011 Governor's recommendation would cut losses to 60% and 86% respectively

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Program, Treatment and Support Services Funding (all sources)

- FY 2000 - \$12,416,469 (actual expenditures)
- FY 2009 - \$12,644,436 (actual expenditures)
- FY 2010 - \$ 5,296,312 (budgeted appropriation)
- FY 2011 - \$ 5,375,199 (Governor's recommendation)
 - FY 2011 increase is due Governor's recommendation to restore some transitional housing resources

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**State General Funded Programs Capacity Reductions
Summary**

	<u>FY09 capacity</u>	<u>FY10 capacity</u>	<u>Change</u>
• GED/Lit	312	218	-94
• Vocational	198	* 72	-126
• Spec ED	50	42	-8
• Life Skills	42	0	-42
• Sub Abuse	56	40	-16
• Therapeutic Com	220	0	-220
• Sex Offender	312	152	-160
• CRB	104	0	-104
• DRC	140	0	<u>-140</u>

910 net loss

*10 slots from the DOL/Apprenticeship grant funds were shifted to SGF for FY 2010. This increased the SGF funded vocational slot capacity from 72 to 82 although no actual increase in capacity occurred.

12/30/2009

1

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**State General Fund/Contract Program Capacity Reductions
Detail Summary for FY10**

Vocational programs

- Barbering at HCF 10
- Building Maintenance at WCF 12
- Business Support at TCF 12
- Construction trades at NCF 12
- Homebuilding (Cabins for KDWP) at HCF, ECF, NCF reduction in capacity of 24
- Industries Technology at HCF 20
- Landscaping at NCF 12
- Manufacturing Technology at HCF 12
- Welding at LCF 12

126 program slots were lost

12/30/2009

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Special or Grant Funded programs

	<u>FY09</u>	<u>FY10</u>	<u>Change</u>	<u>End Date</u>
• IFI	188	203	15	
• Food Service (I2W) (ARAMARK)	54	51	-3	Contractual added value
• Hospitality (KCKCC)	30	0	-30	1/2009
• Retail (KCKCC)	30	0	-30	1/2009
• Dental Lab Tech (Dofe Dental)	8	8	0	(SGF in FY11)
• Aerostructure (WIA Funds)	15	0	-15	9/2008
• DOL/Apprenticeship Department of Labor	40	*30	-10	6/30/2010 *10 slots to SGF
• Title 1 (Fed Funds)	8	8	0	Annual allocation
• Basic Business Skills (Kan-go Grant/Colby College)	0	20	20	5/28/2010
• Electrical Skills Training (USDB)	0	42	42	9/30/2010
• Barton County CC (CBJT Grant) Computer Aided Drafting: 30 HVAC: 20 Manufacturing Skills Cert: 42 Welding: 32 Lifeskills: 225	0	349	349	2/2012
			338	Net Gains

12/30/2009

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Unresolved Issues

- Restore cuts to medical/mental health contract for FY 2011
- Original negotiated amount - \$49,297,186
- Current budgeted amount - \$45,427,765
- At risk
 - Discharge planners
 - Forensic evaluations for MDT and KPB
 - Releases with adequate supplies of psychotropic medications
 - Nurses supervising medication administration
 - NCCHC accreditation
 - Mental health activity groups for mentally ill inmates
 - TCF Program for victims of abuse
 - Drug formulary

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Unresolved Issues

■ Reduce Shrinkage Rates

- 1999 Legislative Post Audit Study
- Facilities at or below “operational” (reduced) staffing levels well over 50% of the time for a decade
- Currently (Jan. 11, 2010) 88.5 positions are being deliberately held vacant to meet budget. A total of 179.5 positions were open that date.

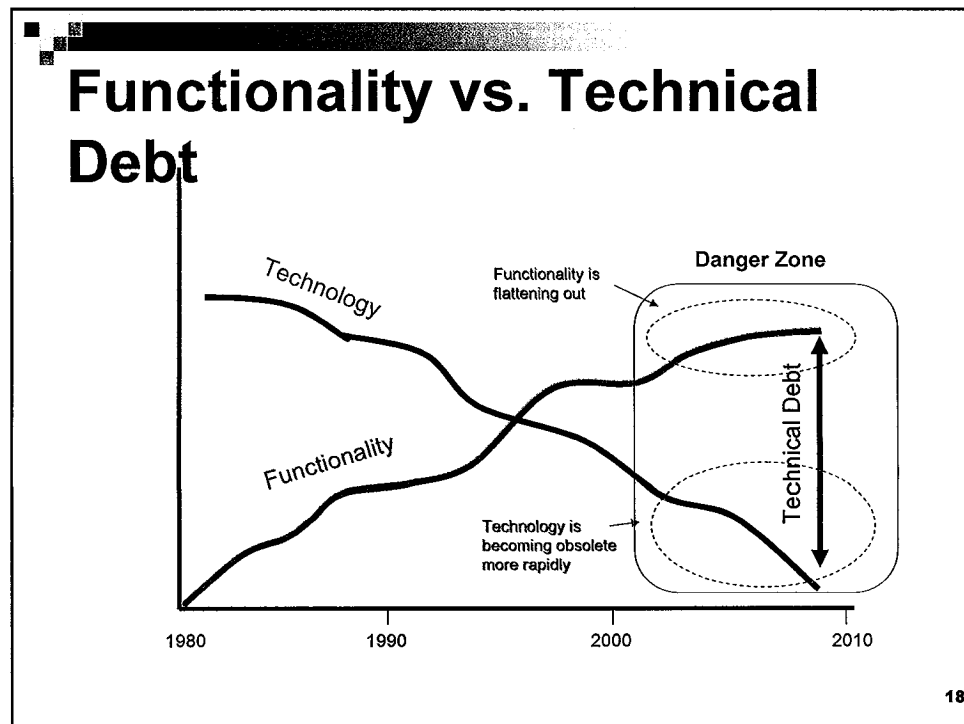
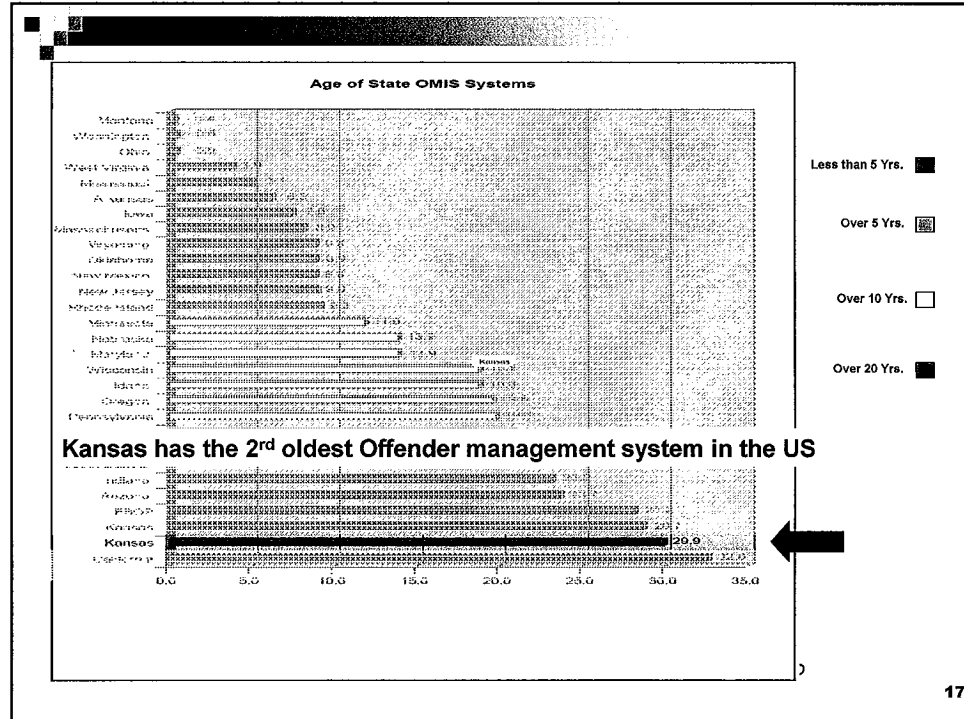
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Unresolved Issues

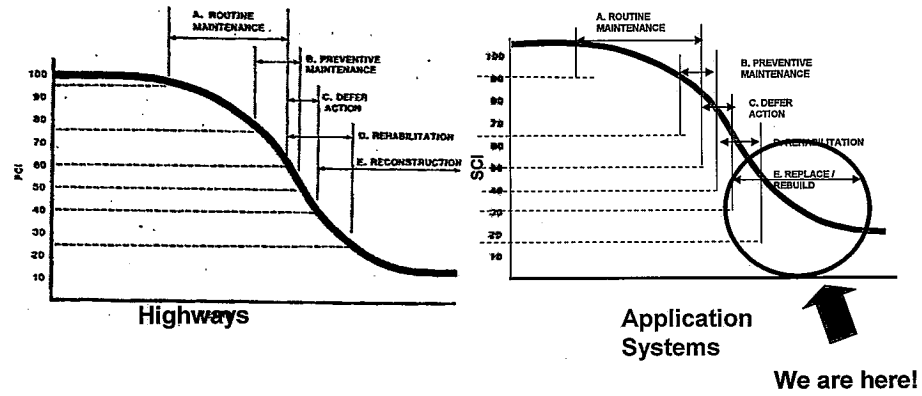
■ Replacement of KDOC core information technology systems (OMIS/TOADS)

- Over the last 4 years (including FY11) we have deferred \$3,000,000 in IT investment and we have used approximately \$500,000 in outside grant money and some project funds intended for system replacement to conduct the EA study required by the JCIT, we need to recover that money and begin to rebuild KDOC's IT environment.
- Lessons learned from planned outage in Dec. 2009

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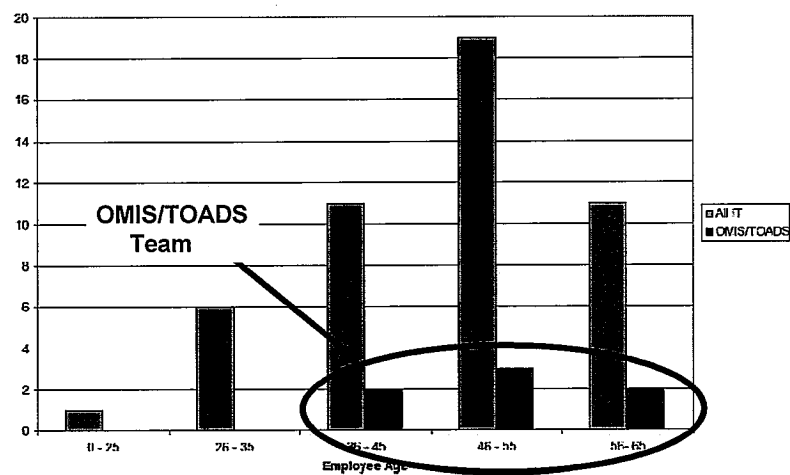
What we can learn from KDOT about Asset Management



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KDOC has an aging workforce

KDOC IT Staff Age



20

Unresolved Issues

- Replacement of aging vehicle fleet
 - Over 170 vehicles already beyond replacement schedule
 - We are contemplating ceasing perimeter patrols because of worn out vehicles and staffing shortages

21

Unresolved Issues

- Conversion to narrowband radio communications
 - Federal mandate to be compliant by Jan. 1, 2013
 - Requires lead time for towers, bidding, etc.
 - Current estimated cost - \$742,945

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Unresolved Issues

- **Restoration of Community Corrections funding**
 - FY 2010 and 2011 community corrections budget relies on \$1,500,000 in ARRA Byrne/JAG funding each year.
 - Community corrections programs received an average reduction of 6% in FY 2010 (\$1,050,000 reduction)

23

Unresolved Issues

- **Housing and treatment services for severely mentally ill and behaviorally disordered inmates and parolees**

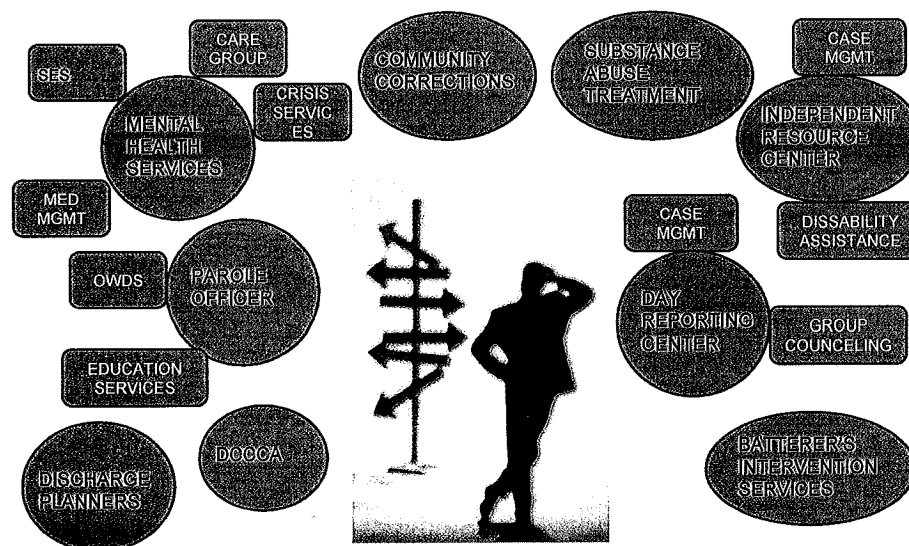
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Mentally-Ill Offenders

- 61% of women and 30% of men in KDOC facilities are diagnosed with a mental illness (MH Disorder Code 3-6)
- Persons with a significant mental illness were more likely to be re-admitted within one year than those without a significant mental illness (30% vs. 25%)
- Most offenders with mental illness released to Shawnee (44%), Sedgwick (33%), Johnson (26%), and Wyandotte (26%) Counties

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THE PROBLEM - WHERE'S JACK?



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CHARACTERISTICS OF POPULATION

- Mental Illness
- Alcohol and Drug Addiction
- Homeless
- Mental Retardation/Development Disabilities
- Traumatic Brain Injury
- Physical Health Problems
- Limited Education
- Limited Family Support
- Poor Work History
- Fetal Alcohol Syndrome

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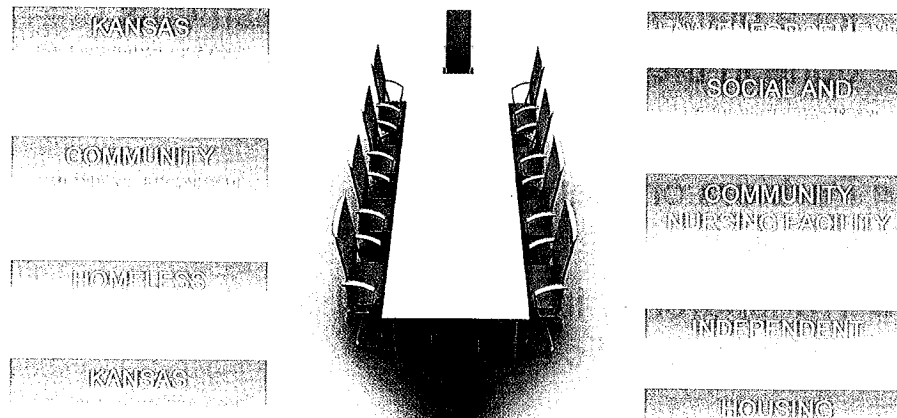
COST OF JACK - 9 MONTHS

AGENCY	SERVICE	COST
Mirror, Inc.	Housing	\$4,462.20
KDOC	Voucher Funds	\$964.00
Valeo	Services/Non-Housing	\$10,563.49
Valeo	Housing/Community	\$800.00
Pharmacy	Medication	\$571.23
Valeo, The Residence	Crisis Services/Housing	\$741.32
Stormont Vail West	Crisis Services	\$8,800.00
Police/911 Cost	Crisis Intervention	\$2,250.00 (estimate)
TOTAL		\$29,152.24

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2-14

BRINGING AGENCIES TO THE TABLE



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WHY COLLABORATION WORKS

- No one agency is able to serve this population
- Duplication of services is ending
- Offender has an active role in plan
- Expenses saved increases resource stock for all
- Treatment planning is no longer driven by funding source
- Treatment programming addresses and incorporates Evidenced Based Practices

30

Back to the community

- Release planning now includes planning for a placement based on assessments done in the community pre revocation.
- Will release with 30 days of meds
- Partners on stand by to launch appropriate services pre release
- Transparency in the referral process in critical to public safety

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Unresolved Issues

- Inclusion of KDOC employees in KP&F or a comparable system
 - Equity issue
 - Cost is what has prevented this in the past
 - No cost in FY 2011 if enacted this session
 - \$5.3 million annual cost beginning in FY 2012
(based on an FY 2010 estimate)

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Decreased Recidivism for MIOs

- Recidivism rates for offenders with mental illness decreased substantially between FY03/04 & FY06/07
 - ❖ FY03/04 rates: 51-74%
 - ❖ FY06/07 rates: 12-39%
 - ❖ Total Decrease of 35-39%!!!
- Both agency-wide recidivism decreases and better discharge planning are responsible for these improvements!

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Performance Measures

- 8,639 – facility population on 1/13/10 (9,251 on 2/19/04)
6.6% reduction
- 5,995 – Parole Population on 1/13/10 (4,261 on 2/19/04,
4,167 on 6/30/03) 43.8% increase
- 2,555 – inmate grievances in FY '08 (3,461 in FY '04)
36% reduction
- 96 – FY 2009 monthly parole revocation rate (FY 2003
rate = 203/month) 53% reduction (avg. FY '10 to date = 94)
- 103.2 – FY 2009 community corrections (high risk
probation) revocation rate - 25% reduction
- 225 – average number of parole absconders for FY 2009
(739 on 6/30/00, 467 on 6/30/03, 189 on 3/16/09) 69%
reduction
- 36% reduction in felony convictions for crimes committed
on parole (FY 1998 – 2000 avg. [835] compared to FY
2004 – 2008 avg. [536])

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**Return Rate of Offenders Released From KDOC Facilities During FY 2001-2008
by Type of Readmission and Length of Follow-up Period***

	FY 2001		FY 2002		FY 2003		FY 2004		FY 2005		FY 2006		FY 2007		FY 2008	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
One-year Follow-up																
No return to KDOC	1,705	44.6%	1,535	43.2%	1,587	46.0%	1,619	47.9%	1,856	53.5%	2,076	62.9%	1,799	64.7%	1,793	66.0%
Violation, New Sentence	55	1.4%	55	1.5%	52	1.5%	61	1.8%	57	1.6%	76	2.4%	55	2.4%	43	1.5%
Violation, No New Sentence	1,795	47.2%	1,722	48.4%	1,553	45.0%	1,502	44.4%	1,259	37.4%	844	25.5%	684	24.6%	652	24.0%
New Commitment (After Discharge)	13	0.3%	30	0.8%	13	0.4%	11	0.3%	16	0.5%	22	0.7%	7	0.3%	15	0.5%
Active Warrant (End of Period)	237	6.2%	213	6.0%	245	7.1%	187	5.5%	241	6.9%	281	8.5%	226	8.1%	214	7.9%
Total (All Cases)	3,805	100.0%	3,555	100.0%	3,450	100.0%	3,380	100.0%	3,468	100.0%	3,301	100.0%	2,782	100.0%	2,717	100.0%
Two-year Follow-up																
No return to KDOC	1,476	38.6%	1,324	37.2%	1,411	40.9%	1,432	42.4%	1,695	49.9%	1,849	56.0%	1,639	58.9%	1,639	58.9%
Violation, New Sentence	86	2.3%	87	2.4%	91	2.6%	95	2.8%	100	2.9%	128	3.9%	102	3.7%	102	3.7%
Violation, No New Sentence	2,097	55.1%	1,987	55.9%	1,816	52.8%	1,724	51.0%	1,497	43.2%	1,115	33.8%	886	32.2%	886	32.2%
New Commitment (After Discharge)	77	2.0%	92	2.6%	52	1.5%	72	2.1%	80	2.3%	128	3.9%	89	3.2%	89	3.2%
Active Warrant (End of Period)	69	1.8%	65	1.8%	70	2.0%	66	1.9%	95	2.8%	83	2.5%	65	2.3%	65	2.3%
Total (All Cases)	3,805	100.0%	3,555	100.0%	3,450	100.0%	3,380	100.0%	3,468	100.0%	3,301	100.0%	2,782	100.0%	2,717	100.0%
Three-year Follow-up																
No return to KDOC	1,372	36.1%	1,230	34.6%	1,332	38.6%	1,333	39.4%	1,606	46.2%	1,739	52.7%	1,444	44.4%	1,444	44.4%
Violation, New Sentence	97	2.5%	97	2.7%	95	2.8%	101	3.0%	116	3.3%	144	4.4%	144	4.4%	144	4.4%
Violation, No New Sentence	2,175	57.2%	2,049	57.6%	1,878	54.4%	1,771	52.4%	1,558	44.9%	1,187	36.0%	1,187	36.0%	1,187	36.0%
New Commitment (After Discharge)	133	3.5%	139	3.9%	115	3.3%	140	4.1%	140	4.0%	201	6.1%	201	6.1%	201	6.1%
Active Warrant (End of Period)	28	0.7%	32	0.9%	30	0.9%	35	1.0%	48	1.4%	30	0.9%	30	0.9%	30	0.9%
Total (All Cases)	3,805	100.0%	3,555	100.0%	3,450	100.0%	3,380	100.0%	3,468	100.0%	3,301	100.0%	2,782	100.0%	2,717	100.0%
Four-year Follow-up																
No return to KDOC	1,290	33.6%	1,159	32.6%	1,274	36.9%	1,284	38.0%	1,545	44.6%	1,617	49.0%	1,317	47.6%	1,317	47.6%
Violation, New Sentence	88	2.3%	89	2.5%	89	2.6%	101	3.0%	117	3.4%	144	4.4%	144	4.4%	144	4.4%
Violation, No New Sentence	2,185	57.1%	2,077	58.6%	1,899	55.0%	1,789	52.9%	1,586	45.7%	1,187	36.0%	1,187	36.0%	1,187	36.0%
New Commitment (After Discharge)	204	5.4%	203	5.7%	162	4.7%	185	5.5%	194	5.6%	201	6.1%	201	6.1%	201	6.1%
Active Warrant (End of Period)	26	0.7%	17	0.5%	16	0.5%	21	0.6%	25	0.7%	25	0.7%	25	0.7%	25	0.7%
Total (All Cases)	3,805	100.0%	3,555	100.0%	3,450	100.0%	3,380	100.0%	3,468	100.0%	3,301	100.0%	2,782	100.0%	2,717	100.0%
Five-year Follow-up																
No return to KDOC	1,225	32.2%	1,124	31.6%	1,235	35.8%	1,236	36.6%	1,400	40.4%	1,400	40.4%	1,187	36.0%	1,187	36.0%
Violation, New Sentence	104	2.7%	100	2.8%	99	2.9%	102	3.0%	100	2.9%	128	3.9%	102	3.7%	102	3.7%
Violation, No New Sentence	2,207	58.0%	2,081	58.5%	1,906	55.2%	1,800	53.2%	1,600	46.1%	1,187	36.0%	1,187	36.0%	1,187	36.0%
New Commitment (After Discharge)	250	6.6%	234	6.6%	197	5.7%	225	6.7%	225	6.7%	201	6.1%	201	6.1%	201	6.1%
Active Warrant (End of Period)	19	0.5%	16	0.5%	13	0.4%	14	0.4%	14	0.4%	14	0.4%	14	0.4%	14	0.4%
Total (All Cases)	3,805	100.0%	3,555	100.0%	3,450	100.0%	3,380	100.0%	3,468	100.0%	3,301	100.0%	2,782	100.0%	2,717	100.0%

Note: The category "Violation, No New Sentence" includes a significant number of cases in which the offender was officially returned with no new sentence, but actually had been convicted of a new felony offense, the date of offense for which was before the return to prison. Documentation for the new sentence did not become available until after the offender was admitted.

*See additional footnotes next page.

Kansas Department of Corrections
Statistical Profile, FY 2009

Net Change and Rate of Improvement

- 1 year – 21.2% net change – 47% rate of improvement
- 2 years – 20.1% net change – 52% rate of improvement
- 3 years – 16.6% net change – 46% rate of improvement
- 4 years – 11% net change – 33% rate of improvement
- 5 years – 4.4% net change – 14% rate of improvement

SUMMARY OF GOVERNOR'S BUDGET RECOMMENDATIONS - FY 2011

KDOC
1/13/10

	<u>KDOC</u>	<u>Governor</u>
<u>A. Reductions/Transfers - State General Fund</u>		
<u>Central Office Operations</u>		
Delete funding for capital outlay	35,000	35,000
Staffing reductions	395,000	395,000
Total	<u>\$ 430,000</u>	<u>\$ 430,000</u>
<u>Information Systems</u>		
Delete funding for equipment acquisitions	710,000	710,000
Unspecified reductions		
Staffing reductions	244,000	244,000
Total	<u>\$ 954,000</u>	<u>\$ 954,000</u>
<u>Parole Services</u>		
Delete funding for capital outlay	98,000	98,000
Reduce funding for travel and vehicle expenses and utilize supervision fees to finance parole services operating costs	60,000	60,000
Reduce funding for local jail costs	261,000	261,000
Reduce funding for GPS monitoring of sex offenders	360,000	360,000
Reduce funding for transitional housing	410,000	410,000
Eliminate/reduce funding for clothing, training, SEO equipment/supplies, drug testing, vehicles and utilize supervision fees for parole services operating costs	178,000	178,000
Total	<u>\$ 1,367,000</u>	<u>\$ 1,367,000</u>
<u>Reentry Programs</u>		
Reduce funding for program contracts	517,000	-
Staffing reductions	706,000	-
Total	<u>\$ 1,223,000</u>	<u>\$ -</u>
<u>Victims Services</u>		
Staffing reduction	52,000	52,000
Total	<u>\$ 52,000</u>	<u>\$ 52,000</u>
<u>Community Corrections</u>		
Eliminate funding for adult residential centers	2,068,000	-
Reduce funding for intensive supervision programs	399,000	-
Total	<u>\$ 2,467,000</u>	<u>\$ -</u>
<u>Kansas Correctional Industries</u>		
Transfer of Correctional Industries Fund moneys to State General Fund	500,000	500,000
Total	<u>\$ 500,000</u>	<u>\$ 500,000</u>

Corrections and Juvenile Justice

Date: 1-14-10

Attachment # 3

SUMMARY OF GOVERNOR'S BUDGET RECOMMENDATIONS - FY 2011

KDOC
1/13/10

	<u>KDOC</u>	<u>Governor</u>
<u>Facilities Operations</u>		
Eliminate funding for chemical dependency recovery program at Larned Correctional Mental Health Facility	231,000	-
Housing unit closures	3,568,000	-
Total	<u>\$ 3,799,000</u>	<u>\$ -</u>
<u>Other</u>		
Reduce funding for food service contract due to menu changes (\$452,000 less (1) enhancement package request of \$236,000 to fully fund contract and (2) shift of \$150,000 to kitchen equipment replacement fund)	66,000	66,000
Eliminate funding for substance abuse treatment program at Topeka Correctional Facility	160,000	160,000
Cancel FY 2009 encumbrances and return funds to the State General Fund; utilize these resources to finance FY 2011 budget.	272,000	-
Retain funds to lessen the impact of excessive shrinkage rates and/or changes to the health care contract required to remain with base budget	(650,000)	-
Total	<u>\$ (152,000)</u>	<u>\$ 226,000</u>
Grand Total	<u>\$ 10,640,000</u>	<u>\$ 3,529,000</u>

B. Enhancements - State General Fund

Reduce shrinkage rates for correctional facilities	3,567,249	3,567,249
Restore funding for inmate health care contract	2,340,000	-
Total	<u>\$ 5,907,249</u>	<u>\$ 3,567,249</u>

C. Reductions - Other Funds

Reduce funding for systemwide renovation and repair projects based upon revised estimate of receipts to the Correctional Institutions Building Fund	-	(143,000)
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Consequences to State Budget if No Revenue Package is Enacted

Expenditures		
Education	Reduce General State Aid to Schools	187,498,000
Education	Eliminate Mentor Teacher Program	1,450,000
Regents	Additional 2% Cut to Regents Block Grant	25,000,000
Medicaid Agencies	Leave Provider Rate Cut at 10%	77,231,000
SRS	Reduce Mental Health Grants	3,900,000
SRS	Reduce Community Develop. Disab. Org. Grants	1,300,000
Aging	Reduce SGF for Nutrition Programs	675,000
KDHE	Reduce Primary Health Care Clinics	566,663
KDHE	Reduce Local Health Departments	267,727
KDHE	Eliminate Cerebral Palsy Posture Seating	105,637
Legislative Agencies	Return to FY 2006 Expenditure Level	3,384,925
Judiciary	Reduce Court Operations	3,000,000
Corrections	Release Inmates Early and Close Cellblocks	7,366,000
Corrections	Reduce Inmate Re-Entry Programs	1,223,000
Corrections	Close Johnson & Sedgwick Co. Adult Residential Centers	2,068,000
Corrections	Reduce Intensive Supervision Programs	399,000
KBI	Continue DNA Processing Backlog	1,081,000
Veterans Commission	Close One Veterans Service Office	54,906
Agriculture/Animal Health	Merge Animal Health into Department of Agriculture	300,000
State Agencies	Eliminate Undermarket Salary Adjustments	8,534,972
State Fair	Make Bond Payment with Fee Funds	1,550,000
Wildlife & Parks	Eliminate Park Entry Discount	800,000
State Library	Reduce State Aid Additional 10%	265,000
All Other Agencies	Make Further Operational Reductions	4,600,000
Revenues		
CIF	Sweep CIF By Cutting:	
SRS	Eliminate Family Centered System of Care	5,000,000
Education	Eliminate Parent Education	7,539,500
JJA	Eliminate Prevention Program Grants	3,785,814
EDIF	Sweep EDIF By Cutting:	
KTEC	Eliminate Agency	5,990,000
WSU	Reduce EDIF Spending (NIAR Aviation Research)	5,000,000
Regents	Reduce EDIF Spending (Tech Schools)	2,745,000
Water Plan Fund	Make No SGF Transfer to Water Plan Fund	
KDHE	Reduce Contamination Remediation	226,161
Agriculture	Reduce Funding for Interstate Water Issues	137,945
Cons. Commission	Reduce Aid to Conservation Districts	634,139
KDHE	Eliminate State Match for Treece Buyout	350,000
Bioscience Authority	Reduce Cap to \$30 M.	5,000,000
Regents	Eliminate Faculty of Distinction Transfer	3,000,000
Regents	Eliminate Research Bonds Transfer	6,240,000
Licensing Boards	Cut Biennial Agencies 10% and Sweep to SGF	2,454,307
Total		\$ 380,723,696

FY 2010 BUDGET ADJUSTMENTS - DEPARTMENT OF CORRECTIONS

Revised
10/12/09

Item	Adjustment to Base Budget	Total Adjustments
Base budget increases to finance FY 2010 budget	2,636,560	2,636,560
State General Fund transfers to the eight correctional facilities	2,852,693	5,489,253
Food service and health care contract savings - reduced inmate population	(553,407)	4,935,846
Restructure debt service payments	(835,000)	4,100,846
Partially suspend payments for fringe benefit employer contributions	(471,387)	3,629,459
Delete unallocated amount for offender programs	(904,000)	2,725,459
Suspend operations of the Osawatomie Correctional Facility	(902,699)	1,822,760
Suspend operations of the Toronto Correctional Facility	(907,393)	915,367
Suspend operations of the Stockton Correctional Facility	(1,647,927)	(732,560)
Eliminate funding for 4th time DUI offenders (proposal to offset this reduction with fines/forfeitures not approved by Legislature)	(538,000)	(1,270,560)
Replace financing for offender programs with additional commissions from inmate telephone contract	(750,000)	(2,020,560)
Assess shrinkage rate of 5 percent against reentry program positions	(166,000)	(2,186,560)
Increase central office shrinkage rate to 5 percent	(305,000)	(2,491,560)
Close Correctional Conservation Camps	(3,371,324)	(5,862,884)
Close day reporting centers and retain partial funding to continue essential services	(869,520)	(6,732,404)
Replace financing of the health care contract with transfer from the Correctional Industries Fund	(1,202,904)	(7,935,308)
Reduce funding for community corrections grants, excluding adult residential centers, by 3 percent	(525,000)	(8,460,308)
Health care contract savings from intentionally holding positions vacant and delaying equipment purchases	(600,000)	(9,060,308)
Delete funding for replacement of major computer systems (OMIS/TOADS)	(450,000)	(9,510,308)
Reduce funding for offender programs	(3,284,075)	(12,794,383)
Reduce funding for facilities operations	(1,327,789)	(14,122,172)
Increase funding for offender programs	646,250	(13,475,922)
Reduce funding for offender programs	(2,003,722)	(15,479,644)
Eliminate funding for longevity bonuses	(1,469,177)	(16,948,821)
		Mega Bill Reduction

juvenile

FY 2010 BUDGET ADJUSTMENTS - DEPARTMENT OF CORRECTIONS

d
09

<u>Item</u>	<u>Adjustment to Base Budget</u>	<u>Total Adjustments</u>	
Reduce funding for offender programs	(1,206,000)	(18,154,821)	
Shift funding for 13 special enforcement officer positions to Byrne Grant	(705,700)	(18,860,521)	
Shift funding for 10 parole officer positions to Byrne Grant	(439,550)	(19,300,071)	
Suspend operations of the North Unit of the El Dorado Correctional Facility	(1,033,975)	(20,334,046)	
Reduce funding for community corrections grants (\$1.5 million shifted to Byrne Grant)	(2,025,000)	(22,359,046)	
Reduce funding for health care management contract (KUPI)	(75,000)	(22,434,046)	
Additional central office shrinkage	(468,002)	(22,902,048)	Omnibus Bill Reduction
Operating expenditures - correctional facilities	(1,100,000)	(24,002,048)	
Operating expenditures - DOC central office	(500,000)	(24,502,048)	Governor's Allotment
Add funding for undermarket salary adjustments	987,149	(23,514,899)	Other

Note: The list of budget adjustments does not include the shift of \$40.5 million of facility operations expenditures from the State General Fund to federal stimulus moneys.

**PROPOSED REDUCTIONS TO ACHIEVE FY 2010 ALLOTMENT OF \$3,820,885
KANSAS DEPARTMENT OF CORRECTIONS**

KDOC
11/23/09

Cancel FY 2009 encumbrances and utilize Inmate Benefit Fund moneys to replace State General Fund financing for offender programs.	468,000
Cancel FY 2009 encumbrances and utilize JEHT moneys to replace State General Fund financing for reentry programs.	58,000
Delete funding for capital outlay - central office operations.	34,000
Reduce funding for information technology equipment acquisitions.	263,000
Delete funding for capital outlay - parole services.	98,000
Reduce funding for travel and vehicle expenses - parole services.	50,000
Reduce funding for local jail costs (annualization of first quarter obligations indicates payments will total \$1,100,000).	261,000
Reduce funding for GPS monitoring of sex offenders.	230,000
Reduce funding for transitional housing.	771,000
Delete unobligated amount for reentry program contracts.	85,000
Replace funding for community corrections grants with unexpended moneys in local program accounts.	480,000
Eliminate funding for substance abuse treatment program at Topeka Correctional Facility.	160,000
Food service contract savings based upon payments through 10/31/09.	50,000
Reduce funding for food service contract due to menu changes.	222,000
Health care contract savings	177,000
Lapse of unspent funds from the prior fiscal year.	<u>413,885</u>
Total	<u><u>\$3,820,885</u></u>