

## SENATE BILL No. 539

By Committee on Ways and Means

2-4

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9 AN ACT concerning community corrections; relating to grant determi-  
10 nations; amending K.S.A. 2007 Supp. 75-52,111 and 75-52,112 and  
11 repealing the existing sections.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2007 Supp. 75-52,111 is hereby amended to read  
15 as follows: 75-52,111. (a) On or before each July 1, the secretary of cor-  
16 rections shall determine annually the amount of the grant for the ensuing  
17 fiscal year for each county or group of counties which has qualified to  
18 receive grants as provided in this section.

19 (b) The secretary of corrections shall award grants to a county or a  
20 group of counties for community correctional services from funds approp-  
21 riated for that purpose in an amount determined by the secretary. *The*  
22 *grant determination by the secretary is not subject to judicial review.* The  
23 determination of the grant amount by the secretary shall be based on the  
24 following criteria: Staffing levels justified by active cases under supervi-  
25 sion; administrative costs; funded contracts for services remaining unused  
26 for an unreasonable period of time; any unreasonable indirect costs; client  
27 numbers; caseload projections; travel costs; contracted services' costs;  
28 shrinkage factors; vacancy savings; turnover rates; and the comprehensive  
29 community corrections plan submitted to the secretary meeting the pro-  
30 visions of K.S.A. 75-5290, and amendments thereto. The secretary may  
31 reduce a grant to a county or group of counties as provided by K.S.A. 75-  
32 52,105, and amendments thereto, or due to changes in the availability of  
33 funds.

34 Sec. 2. K.S.A. 2007 Supp. 75-52,112 is hereby amended to read as  
35 follows: 75-52,112. (a) On and after July 1, 2007, subject to the provision  
36 of appropriation acts, the secretary of corrections shall develop and im-  
37 plement a grant program with the goal of increasing public safety, reduc-  
38 ing the risk of offenders on community supervision and reducing each  
39 community corrections program's revocations rate by at least 20% from  
40 such program's fiscal year 2006 revocation rate. *The grant determination*  
41 *by the secretary is not subject to judicial review.* Any county or counties  
42 operating community correctional services may apply for the grant. The  
43 program shall give priority to a county or counties in which the revocation

1 rate for offenders on community supervision is significantly higher than  
2 the statewide average, which target a higher percentage of revocation  
3 reductions than the required minimum of 20% or which target the suc-  
4 cessful reentry of offenders who are considered medium or high risk for  
5 revocation.

6 (b) The secretary shall adopt grant requirements in accordance with  
7 this section. Proposals for grants under this program shall include, but  
8 not be limited to, provisions to:

9 (1) Target offenders at medium and high risk for revocation utilizing  
10 risk assessment instruments approved by the secretary;

11 (2) reduce and specialize caseloads for community corrections  
12 officers;

13 (3) provide the offenders with the needed supervision and services  
14 to improve such offenders' opportunity to successfully complete com-  
15 munity correctional services programs, resulting in a reduction in revo-  
16 cations to prison. Such services may include, but not be limited to, em-  
17 ployment training and placement, educational assistance, transportation  
18 and housing. Such services shall be evidence-based and address offenders'  
19 criminogenic risks, needs and responsivity characteristics;

20 (4) use an intermediate sanctions community supervision model;

21 (5) provide staff training and skill development for community cor-  
22 rections officers in risk reduction and intervention. Such training and  
23 development shall be approved and certified by the secretary;

24 (6) utilize treatment options, including substance abuse treatment,  
25 mental health treatment, and cognitive and behavioral programs for of-  
26 fenders. For identified need areas, approved assessment and evaluation  
27 instruments should be utilized to ensure offender placement into appro-  
28 priate levels of treatment and intervention;

29 (7) use gang intervention strategies;

30 (8) address safety concerns of the community;

31 (9) implement a method of tracking and reporting revocations;

32 (10) establish a goal of reducing the number of offenders, by a spec-  
33 ified percentage, whose supervision is revoked and the offender sen-  
34 tenced to prison by providing: (A) A plan to reduce the revocation rate  
35 for offenders on community supervision by at least 20% from such pro-  
36 gram's fiscal year 2006 revocations rate; (B) a plan to reduce the revo-  
37 cation rate at a percentage greater than the 20% minimum established to  
38 receive such grants; or (C) a plan which targets the successful reentry of  
39 offenders who are considered medium or high risk for revocation;

40 (11) develop a specific accountability system for monitoring, tracking  
41 and utilizing the grant funds and to evaluate the effectiveness of the grant  
42 funds; and

43 (12) develop a consistent set of policies that will guide judges and

1 community corrections officers in the supervision and revocation of of-  
2 fenders on community corrections supervision.

3 (c) The department of corrections shall establish a date for achieving  
4 goals based upon implementation time-lines and goals specific to each  
5 grant, which may include an overall reduction or a reduction for a spe-  
6 cifically targeted population.

7 (d) The department of corrections shall evaluate the programs which  
8 received a grant using a research-based process evaluation targeting the  
9 critical components of effective programs to ensure that the program is  
10 being delivered as such program was designed. Continued funding shall  
11 be contingent on the program meeting the established goals.

12 (e) The secretary shall prepare a report which states the number of  
13 programs receiving grants pursuant to this section, specifically identifying  
14 each program, summarizing the provisions of each program and the suc-  
15 cess of the program in reducing revocations. Such report shall be deliv-  
16 ered to the governor, the secretary of the senate, the chief clerk of the  
17 house of representatives and the Kansas reentry policy council on or be-  
18 fore the first day of the regular legislative session each year in which the  
19 grant program is funded.

20 Sec. 3. K.S.A. 2007 Supp. 75-52,111 and 75-52,112 are hereby  
21 repealed.

22 Sec. 4. This act shall take effect and be in force from and after its  
23 publication in the statute book.