

M I N U T E S

SPECIAL COMMITTEE ON CORRECTIONS

October 31, 1977  
Room 510-S - State House

Members Present

Representative Patrick J. Hurley, Chairman  
Senator Paul Hess, Vice-Chairman  
Senator Jim Parrish  
~~Senator Wint Winter~~  
Representative Arthur Douville  
Representative Phil Martin

Advisory Committee Members Present

Dr. William Arnold  
Sister Dolores Brinkel  
Loren Daggett  
Bill Larson

Staff Present

J. Russell Mills, Jr., Kansas Legislative Research Department  
James A. Wilson, Revisor of Statutes Office  
Louis Chabira, Kansas Legislative Research Department

October 31, 1977  
Morning Session

Chairman Patrick J. Hurley called the meeting to order and made a few remarks concerning the order of Committee deliberation.

The staff distributed two memorandums for consideration: "Issues for Committee Consideration" (Attachment I) and "Summary of Conferees' Recommendations" (Attachment II).

Mr. Wilson presented a detailed discussion on the memorandum summarizing the various corrections issues confronting the Committee. The Committee discussed various issues noted in the memorandum.

Mr. Mills discussed the memorandum which summarizes a number of the recommendations made by conferees during the course of this study. An addendum to this memorandum will be prepared to include those recommendations which were not listed in the summarization.

Dr. William R. Arnold presented his own proposal "A Statewide Corrections Plan for Kansas" in an effort to pull together the issues that had been discussed and to establish a program with modular approaches to the issues (Attachment III). Dr. Arnold summarized the major points of his plan as follows:

1. It is a phased plan, with Phases I and II requiring state action and Phase III being regional action.

2. A redirection of LEAA funds is contemplated by requiring that at least 50 percent of all available LEAA funds be utilized to fund plans submitted by Community Corrections Boards.
3. The plan will be implemented through the division of the state into 22 Community Corrections Districts, each with a Board and a Team controlling all local corrections efforts.
4. The plan is based on a modular organization so that state portions and local portions may be adopted as the needs arise.
5. State subsidies will be provided to the Community Corrections Boards based on the modules adopted.
6. The plan provides for incentives to Community Corrections Boards to reduce the number of persons sent to state prisons and to stimulate use of the funds for innovative programs.
7. The costs of the plan are lower than the costs of any alternative plans which have been proposed.
8. The plan is flexible and can accommodate at least 5,000 commitments per year.

Committee discussion ensued on Dr. Arnold's plan, the unit team concept, the community corrections program in general, and unitization of existing facilities.

#### Afternoon Session

A table indicating average monthly inmate populations at Kansas correctional institutions was distributed (Attachment IV). The table indicates that Kansas had an average adult inmate population of 2,220 in September, 1977. This is an increase of 4 from August, 1977, and an increase of 253 from September, 1976.

Mr. Chabira presented an analysis of the budget request of the Department of Corrections for FY 1979. Staff was directed to prepare a detailed memorandum concerning the budget request for Committee use.

Senator Hess stated that he would like to have staff prepare a summary of the federal guidelines as to the Governor's control of appointments and LEAA funds distributed by the Governor's Committee on Criminal Administration, congressional intent, and whether legislative appointments could be made to the GCCA on an enlarged basis.

Senator Parrish requested that the memorandum include the maximum dollar amount of LEAA funds available to the state and information on how the State of Minnesota was able to get funds direct from Washington instead of going through the state's Committee on Criminal Administration.

The meeting was adjourned.

Prepared by J. Russell Mills, Jr.

Approved by Committee on:

11-17-77  
(Date)

JRM/jsf

MEMORANDUM

October 21, 1977

TO: Special Committee on Corrections  
FROM: Staff  
RE: Issues for Committee Consideration

Committee Charge

Proposal No. 14 - Correctional Programs and Facilities. A study of the state's correctional programs and facilities, including the feasibility of starting community-based programs or developing new physical facilities, such as the proposed medium security prison.

Kansas Corrections Issues

I. Existing Facilities of the Kansas Corrections System

A. Common Issues Affecting All Institutions

- 1. Adequacy of living conditions
  - a. Cell size
  - b. Cleanliness, temperature, noise problems
  - c. Upgrading existing facilities
  
- 2. Standard of health care (physical and mental)
  - a. Treatment for physical illness
  - b. Treatment of mental and emotional problems
  - c. Secure medical facility (LSH/KU Med Center)
  
- 3. Institution personnel
  - a. Salary plan limitations
  - b. Promotion and career opportunities
  - c. Retirement and fringe benefits
  - d. Grievance procedures
  - e. Inadequate and inappropriate staffing
  
- 4. Inmate safety
  - a. Adequate supervision
  - b. Use of upper cellhouse tiers
  - c. Use of protective custody

**5. Prison industries**

- a. Limited nature of current market
- b. Types of products manufactured
- c. Level of inmate wages
- d. Management and finances

**6. Population levels**

- a. Population projections
- b. Commitment rate and length of sentence
- c. Decriminalization of victimless crimes
- d. Manageable population size

**7. DOC management and operations**

- a. Policy adoption through formal rules and regulations
- b. Enhancement of Ombudsman function
- c. Inmate access to personal file

**B. Institutional Issues at Specific Facilities**

**1. Kansas State Penitentiary**

- a. Physical plant condition
- b. A and T building
- c. Farming operation

**2. Kansas State Industrial Reformatory**

- a. Food service personnel shortage
- b. Physical plant condition
- c. Farming operation

**3. Kansas Correctional Institution for Women**

- a. Commitment of misdemeanants
- b. KRDC evaluations for female inmates
- c. Physical plant condition

**4. Kansas Correctional-Vocational Training Center**

- a. Limited to first offenders
- b. Limited to male inmates only

5. Kansas Reception and Diagnostic Center

- a. Presentence investigations
- b. Adequacy of facilities
- c. Limited staff
- d. Role of KRDC as separate facility

6. Work Release Centers and Honor Camps

- a. Limited number of facilities
- b. Utilization as parole incentive
- c. Inmate eligibility criteria

II. Existing Programs

A. Classification and Assignment of Inmates

1. Presentence investigations
2. KRDC evaluations
3. Unit team programming

B. Educational and Vocational Opportunities

1. Use of area vocational-technical schools
2. Basic work habits and specific job training
3. Relevance of educational and vocational programs

C. Inmate Work Programs

1. Idleness factor
2. Maintenance and improvements programs
3. Mandatory work requirement

D. Institutional Pre-release Programs

III. Release Issues

A. Pre-trial diversion programs

1. Supervised release
2. Release-on-own-recognizance
3. Deferred prosecution

B. Probation

1. Restitution, dayfines, community service orders
2. Programs and treatment facilities
3. Caseloads

### C. Parole

1. Role of unit team
2. Policy of Kansas Adult Authority
3. Parole contract
4. Caseloads
5. Early release to relieve overcrowding

## IV. New Facilities and Programs

### A. New Institutions

1. Eight-Year Master Plan (Touche Ross report)
  - a. Renovate KSP
  - b. Renovate KSIR
  - c. Renovate KCIW
  - d. Establish a Correctional Services Complex
  - e. Construct new correctional facility
  - f. Expand the honor camp program
  
2. Project Development Plan - 77 (Schaeffer report)
  - a. New medium security facility
  - b. KSIR minimum security facility
  - c. KSP minimum security facility
  - d. KRDC maximum security facility
  - e. KSP administration building
  - f. Cellhouse renovation at KSP and KSIR
  
3. Site Selection Committee Report
  - a. Wichita
  - b. Towanda
  - c. Osawatomie
  - d. Hutchinson
  - e. El Dorado
  
4. General issues
  - a. Completion date of new construction
  - b. Alternate use of existing state facilities
  - c. Configuration of total corrections system
  
5. Medical and mental health care facilities

## **B. Community Corrections**

### **1. Facilities**

- a. Jail standards and operations**
- b. Regional detention facilities**
- c. Residential facilities**
- d. Non-residential treatment facilities**
- e. Juvenile facilities**
- f. Halfway houses**
- g. Pre-release centers**
- h. Restitution centers**
- i. Hospital security unit**

### **2. Programs**

- a. Chemical dependency counseling**
- b. Counseling and treatment**
- c. Job placement**
- d. Educational and vocational**
- e. Re-entry skills**
- f. Subsistence**
- g. Restitution**
- h. Probation offender programs (PORT)**

### **3. Financing**

- a. State subsidy for local operation**
- b. Distribution formula**
- c. Incarceration disincentive**
- d. Minimum local effort required**
- e. Private and public funds**
- f. Required uses of state funds**
- g. Publicly or privately owned or operated**
- h. Objectives of state subsidy program**

### **4. Administration**

- a. Local advisory board**
- b. Powers of county commission**
- c. Role of courts and law enforcement**
- d. Role of state DOC**
- e. Multi-county programs**

### **5. Planning**

- a. Local corrections plan**
- b. Power of state DOC**
- c. Power of county commission**

**6. Research and training**

- a. Development of data base
- b. Personnel training requirements

**7. Mandatory or voluntary program**



Attachment T

MEMORANDUM

October 24, 1977

TO: Special Committee on Corrections  
FROM: Kansas Legislative Research Department  
RE: Summary of Conferees' Recommendations

Department of Corrections - General

1. (Raines) The need to achieve a balanced corrections system and develop a variety of institutions can be fulfilled through implementation of four priorities:
  - a. construction of a new 400-bed medium security institution and construction of a new 100-bed outside dormitory at KSIR;
  - b. renovation of existing housing units;
  - c. expansion of the community corrections program;  
and
  - d. improvement of the DOC salary plan.
2. (Tramel) The problem of staff recruitment and retention within DOC must be resolved.
3. (Targownik) Adequate staff, space, and facilities should be developed at KRDC.
4. (Rayl) An ideal corrections program would consist of maximum, medium, and minimum security institutions, as well as a community corrections program.
5. (LWVK) KCVTC should not be restricted to first offenders only.
6. (LWVK) The mentally ill and severely retarded should be removed from the prison population through greater use of the state mental hospitals.
7. (LWVK and Barton) Rules and regulations of DOC should be subject to legislative review.
8. (North) Three "mini-prisons" should be constructed in the Wichita, Kansas City, and Topeka areas.

Atch. II

9. (NCCD) No new detention or penal institutions should be built before alternatives to incarceration are fully provided for.
10. (National Moritorium) No new prison construction should be undertaken until all alternatives have been exhausted.

#### Prison Industries

11. (Tramel) The existing prison industries program should be enhanced through expansion of both sales and production.
12. (Schoen) Prison industries programs should utilize the services of an advisory committee composed of business, industry, and labor representatives.
13. (LWVK) Legislation should permit DOC to contract with private firms, sell goods on the open market, and utilize an advisory committee.
14. (LWVK) Prison industries should provide a relevant work experience with adequate inmate pay.
15. (Swall) A sound industry program, related to real life jobs, should be established in which inmates would be paid decent wages.

#### Presentence Investigations

16. (Swall) The state should mandate presentence investigations, to be conducted in the community, for all convicted felons.
17. (Taylor) Standardized presentence investigation forms should be mandated statewide.
18. (Clelland) Excessive, and often needless, court referrals to Larned State Hospital for investigations and evaluations should be eliminated.
19. (LWVK) Mandatory presentence investigations should be conducted for all convicted felons and misdemeanants.

#### Community Corrections

20. (Schoen) Community corrections programs must include a strong planning effort at the local level.

21. (Schoen) Community corrections programs should not be administered by the courts.
22. (Frost) State funds should be made available to halfway houses providing services to state parolees.
23. (Dutton) Community corrections should be the first choice for the overwhelming proportion of offenders.
24. (DeCoursey) General support for community corrections; general opposition to new prison construction.
25. (LWVK) Support for 1977 S.B. 292; support for community corrections; opposition to new prison construction.
26. (Nagel) General support for community corrections.
27. (Menninger) The state should develop alternatives to incarceration; those offenders who require incarceration should be treated in a humane manner.
28. (Frost) Private halfway houses should be utilized, rather than state-operated ones.
29. (Zook) Community corrections should not be mandated by the Legislature; it should be voluntary.
30. (Callison) The state should:
  - a. examine the prison population to determine how many inmates could benefit from community corrections;
  - b. assess the prison population to determine where community corrections programs should be located throughout the state;
  - c. undertake an immense public education effort to develop support for community corrections; and
  - d. only then, develop the physical facilities for community corrections programs.
31. (Swall) The state should develop a uniform statewide probation system.
32. (Taylor) The Division of Community Correctional Services will experience a need for additional field staff.
33. (Taylor) The work release center in Wichita should be expanded.

34. (Taylor) There is a need to upgrade jail facilities throughout the state.

Miscellaneous

35. (Priesner) There will be problems in training volunteers to work in community corrections.
36. (Swall) Local medical and mental health resources should be used, utilizing KRDC as a back-up.
37. (LWVK) Female misdemeanants should not be sent to KCIW; they should have the same rights as male misdemeanants.
38. (Dutton) The state should:
- a. undertake a corrections planning process;
  - b. upgrade law enforcement efforts;
  - c. develop police-court-corrections relations;
  - d. grant defendants the right to immediate service and treatment programs; and
  - e. develop better state-local relations.
39. (Barton) There is a need for some mechanism to reimburse staff and inmates for damaged personal property.

A STATE\*WIDE CORRECTIONS PLAN FOR KANSAS

--William R. Arnold

"In my judgment, the cost of conducting our prisons is of great, but not of first, importance. The good of the convicts, their continual betterment and their ultimate reformation should be the principal aim of the administration of our penal institutions."

--from Governor Stanley's Message to the Senate and House of Representatives, Jan. 10, 1899. Public Documents, Kansas 1897-98 (Topeka: J. S. Parks, State Printer, 1899)

Highlights of the plan--

- Phased planning, Phases I and III being state action and Phase II being regional action
- Re-direction of LEAA funds
- Division of the state into twenty-two Community Corrections Districts, each with a Board and a Team controlling all local correctional efforts
- Modular organization of the plan so that state portions and local portions may be adopted as the needs arise
- State subsidies provided to Community Correctional Boards based on the modules adopted
- Incentives to Community Corrections Boards to reduce number sent to state prisons and use funds for innovative programs
- Costs (exclusive of Phase III) lower than alternative plans--for detailed cost analysis see, "Citizen Perspective on Proposed Prison Construction," pp. 6-8.

Gross recurring costs:	\$3,643,925
Gross savings to county and welfare	1,210,000
	=====
Net new tax monies needed annually	\$2,433,925
Capital costs (one time)	\$3,869,000
- Net new tax monies needed for governor's plan annually  
\$2,664,000 to \$3,575,000
- Capital costs for governor's plan (Schaefer, 1976: 3.01)  
\$39,910,000
- Flexible plan accommodates at least 5000 commitments per year

## Phase I. State legislative action

- Module 1. Provide for the organization of Community Corrections Districts, Community Corrections Boards, and Community Corrections Teams with the powers and prerogatives specified hereunder.
  
- Module 2. Require that at least fifty percent (50%) of all available LEAA funds shall be utilized to fund plans submitted by Community Corrections Boards. This fifty percent could include all or any part of the percent now reserved for juvenile programs. While no part of this fifty percent should be utilized for strictly law enforcement functions, Community Corrections Boards could designate funds for law enforcement agencies in support of their correctional activities.

Supporting information: Apart from the federal requirement that over 19% of the annual block grant be spent on programs for juveniles, the states are free to allocate monies among the federally specified categories. Allocations are currently made by a committee in which the governor has predominant power. Evidence from Minnesota and Iowa suggests that LEAA funds are an ideal source for funding experimental programs in communities. The current fiscal year allocations in Kansas provide that only \$154,000 shall be spent on community corrections out of funds that will approach three million dollars. This obviously makes the needed experimental funds too limited to be meaningful.

- Module 3. Provide that pre-sentence investigations shall be completed on all misdemeanor and felony offenders, the pre-sentence investigation for misdemeanants being limited to information gathered by the police as stipulated hereunder.

Supporting information: Although we can not be sure that requiring pre-sentence investigations would reduce the number of persons incarcerated, such a reduction seems likely. It would seem that such investigations would increase the likelihood of probation officers' recommending probation. Carter and Wilkins (references cited in this text are listed at the end alphabetically by author and date) reported in 1967 on a series of studies of federal and California court operations. Judges follow the recommendations probation officers make for probation in pre-sentence investigation reports over 95% of the time, and judges follow probation officers' recommendations for imprisonment about 80% of the time. Prosecuting attorneys also often give recommendations for sentencing, and judges widely give credence to these prosecutors' recommendations (Blumberg, 1967: 117-137; Casper, 1972: Chs. 4 and 5; and Hogarth, 1971: 186-193). Although I can not find any data on the subject, it is reasonable to assume that prosecutors would likely be "tougher" than probation officers in their recommendations. Furthermore, it can be shown (Hogarth, 1971: Chs. 19 and 20) that the single most important criterion judges use in pronouncing sentence is prior criminal record. This means that people get sentenced for past offenses, to a certain extent. The pre-sentence report provides information about offenders' current circumstances on which to base sentences, clearly a more just procedure.

For one proposal to increase the utilization of community mental health centers in the diagnostic process, see Penal Reform Committee of the Kansas Association for Mental Health, 1977.

Module 4. Provide that for all first and second misdemeanor and all-first felony convictions which are for property offenses in which no violence or threat of violence against persons was used, sentences shall be suspended and the offenders be placed on probation with a condition of probation being making restitution to the degree and in the manner specified by the court.

Module 5. Provide that all persons convicted of a first and single felony for which the minimum sentence is one year shall be committed to the supervision of a Community Corrections Team on probation.

Supporting information: We can be quite sure that increasing use of probation does not increase public danger from future crime. The question must be more precisely put this way: Are offenders who are alike in significant characteristics any more likely to repeat their offending behavior when put on probation than they are when they are imprisoned and released on parole? Because of the inconsistency of sentencing in the United States and elsewhere, it is possible to compare like individuals who were put on probation and who were imprisoned and released on parole. Sparks (1968) describes five such studies (two in England, one in Wisconsin, and two in California) making such comparisons which show, almost uniformly, that first offenders are less likely to repeat their offenses if put on probation than if imprisoned and that recidivists (people with prior records) do as well on probation as they do after imprisonment. Four experimental studies in which persons were randomly assigned to probation or to imprisonment (the two populations, therefore, were very similar) revealed higher success rates on probation than on parole after imprisonment, but there were some problems about these studies, so they are not definitive answers to our question. To answer the question the other way around, imprisonment is no more likely to prevent future criminality in a given type of offender than is probation.

In a California study done several years ago when the use of probation was more "popular" than it is now, it was estimated (on the grounds that the offenders were like those for whom probation usually worked) that 20% of the adults in prisons could have been put on probation without increasing failure rates on probation. Another study, one of juveniles, indicated that the proportion put on probation would be doubled (both studies cited in Sparks, 1968). Three other studies examined differences over time or space in the proportions of persons put on probation and found that failures on probation did not vary much even though the numbers of people put on probation changed drastically. In other words, when lots of people were being imprisoned, the imprisoned included many who could do as well on probation as those who received the lesser punishment. (Lipton, Martinson, and Wilks, 1975: 56-58).

#### Phase II. Community Corrections Board action

Module 1. Community Corrections Districts shall be co-terminus with present judicial districts except that in the less populous



area of the state judicial districts may be combined so that the state shall be divided into a total of twenty-two Community Corrections Districts.

- a. There shall be on each Community Corrections Board:
  - One district or associate district judge
  - One prosecuting attorney
  - One attorney who commonly defends offenders
  - One public defender (if available in district)
  - One sheriff
  - One chief of police
  - One probation and/or parole officer
  - One jail administrator or other comparable officer
  - One operator of a community residential corrections center program
  - One operator of a non-residential community corrections program
  - A number of citizens not employed in the justice system equal to the number of those employed in the system
  - An assistant deputy secretary of corrections for Community Corrections serving ex-officio without vote and providing liaison with the department of corrections
- b. The group shall be convened initially by the senior administrative judge in each Community Corrections District. He shall, thereafter, convene the group only when and if the duly elected officers fail to do so when there is business that should be conducted.
- c. Each CCB shall, as often as called for but no less often than annually, report and/or request funds from the state through the appropriate assistant deputy secretary and the deputy secretary for community corrections, these officials having the required duty of reviewing reports and/or requests and negotiating modifications (if needed) in the plans such that the department of corrections can and will actively advocate funding the requests from CCB's.
- d. Support may be requested only for modular programs described under Phase II efforts except that support may be requested for individual programs comprehended under Module 7 below.

**Module 2.** Organization of Community Corrections Teams consisting of all juvenile and adult probation and parole officers in each Community Corrections District

- a. Community Corrections Boards would assume control of all juvenile and adult probation and parole officers working in their districts.
- b. Community Corrections Boards may apply for funds for up to three additional members of their Community Corrections Teams. Approval of these requests would be made on the basis of need as demonstrated by caseload size and caseload rating (intensive, regular, or minimal supervision).

- c. All Community Corrections Team members would work full time at their correctional duties.
- d. The whole or some designated portion of each Community Corrections Team shall determine whether individuals committed to them should be in intensive (active management of life circumstances with contact at least five times per month), regular (contact once per month to check on activities), or minimal contact (providing assistance requested by offenders in caseloads of about 250) supervision.

Supporting information: Lipton, Martinson, and Wilks (1975: 27-29 and 46-49) carefully reviewed seven studies of intensive probation (caseloads of 15 or 16 or fewer) and found that reductions in failures for both boys and girls under 18 were clearly associated with the intensive supervision. The one study they describe of varying caseloads for adults did not seem to have any effect on the failure rate. Other studies seem to suggest that varying caseload size for adult parolees does not affect their failure rate, so it is reasonable that varying probation caseload size would have little effect on adults.

- e. (applicable only where Phase II modules 3 and 4 have been adopted) The whole or some designated portion of each Community Corrections Team shall determine when individuals need (and/or deserve) to be placed in or removed from a local secure facility (jail) or open community facility (halfway house). Initial decisions would, of course, like the decisions regarding level of supervision, be based, at least in part, on pre-sentence investigations.
- f. Community Corrections Team members will conduct parole placement investigations, suggest any modifications they deem appropriate in the parole conditions set down by the unit teams, and engage in any negotiations needed to agree upon these conditions. See Phase III, module 8 for procedure for rescinding parole.
- g. Community Corrections Team members will be responsible for the completion of pre-sentence investigations on all misdemeanor and felony offenders, but the responsibility for pre-sentence investigations for misdemeanants will normally be limited to seeing that the information developed by law enforcement personnel in accord with part a of module 5 is complete. Pre-sentence investigations for misdemeanants in districts which have not adopted module 5 will be limited to those specifically requested by the judiciary. Judges will assure that convicted offenders are detained until such time as Corrections Team members are able to initiate their pre-sentence investigations.
- h. Community Corrections Team members will be responsible for the development of recommendations for the revocation of probation or parole.

- i. Recommendations that an individual be placed in a jail or in a halfway house and recommendations for the revocation of probation or parole shall be made to the appropriate judge who shall determine whether or not these recommendations shall be carried out.

Module 3. Establishment of Community Corrections District jails

- a. In each Community Corrections District, there shall be designated two or three jails to serve as secure facilities for dealing with offenders who, while on probation or parole, violate the conditions of their status but do not seem, in the opinion of the Community Corrections Team, to need and/or deserve revocation.
- b. In so far as possible, persons awaiting trial should not be held in these same jails.
- c. Each Community Corrections Board may apply for renovation funds and for funds for added jail personnel to bring these jails into accord with state jail standards.

Module 4. Establishment of open residential centers

- a. In each Community Corrections District, there shall be established one or two open residential centers (halfway houses) in addition to those now in operation.
- b. These facilities shall be operated in at least general conformity with the guidelines as set forth in Guidelines and Standards for Halfway Houses and Community Treatment Centers, LEAA, 1973.
- c. Community Corrections Boards may receive up to one half the operating costs (including rent) of these open residential facilities.
- d. Such open residential facilities under private auspices may receive comparable subsidies by:
  1. Granting the relevant Community Corrections Board veto power over policy decisions made by governing boards.
  2. Applying for the subsidy through the relevant Community Corrections Board, and
  3. Adopting the Guidelines noted above.
- e. The open residential facilities shall make maximal use of existing community services and avoid duplicating these whenever possible.

Module 5. Records system development and initial evaluation of offenders

- a. When law enforcement officers arrest an individual, they shall complete the background portion and current offense portion of the Comprehensive Offenders' Record Form (CORF, items 1-10, 15-17) which appears as Appendix A to this plan, interviewing the arrested person and any other persons necessary to acquire and verify the information called for. If a previously completed CORF is already in the possession

of the arresting agency or is readily available, only needed amendments are required. Copies of these forms and/or amendments shall be forwarded to the Statistical Accounting Center which shall maintain an updated CORF on each reported offender.

1. When the SAC receives a CORF or an amendment thereto, it shall immediately direct any agency which had most recently but previously submitted information on the affected individual to send its most current CORF on the individual to the agency he is now in contact with. When this "field copy" of CORF is received, all other records on the individual may be destroyed after updating the field copy.
  2. The CORF shall proceed with the offender as far as his case goes in the justice system and be retained at that level until called for by SAC. At any time, the SAC can provide a) the whereabouts of any individual's field form of CORF and b) statistical reports for any agency in the system regarding the offenders they have handled.
- b. Information acquired by law enforcement officers shall be utilized by them (and their supervisors and advisors) to release persons on their own recognizance on the basis of one of the tested measuring scales for such release plus any subjective impressions about the community perception of such release.
  - c. The same items of information shall ordinarily constitute the pre-sentence investigation for misdemeanants and shall ordinarily be the basic information in a presentence investigation of a felony offender.
  - d. While justice system agencies are free to complete any additional forms they wish, funds will be provided to Community Corrections Boards only for the preparation, duplication, filing, and storage of the CORF and amendment forms.
  - e. To provide the time for law enforcement officers to complete the relevant portions and amendments for CORF, patrol districts shall be doubled in size and have two patrol units assigned to each of the enlarged areas.

Supporting information: The following is quoted from Kalmanoff, 1976:49-50.

Studies of police deployment have sometimes come to conflicting conclusions. In 1954, patrol strength in one New York City precinct was doubled, and fewer street crimes were reported (New York City Police Department, 1955). These results were then used to justify increases in police manpower. Increases were granted, but crime rates nevertheless continued to rise more rapidly than the number of officers. Furthermore, patrol strength seemed to have no effect on the off-street-crime rate.

The traditional wisdom of police administrators holds that a substantial police presence acts as a deterrent to crime. A recent experiment in Kansas City was designed to test this belief. A fifteen-beat area was divided on the basis of reported crime rates, population characteristics, income levels, and calls for police service. In one group of beats, designated "reactive," there was no preventive patrol, and police cars entered the beats only in response to citizen calls for service. In the second set of beats, labeled "proactive," preventive patrol was raised to four times its usual level, and all other police service was provided at the normal pre-experiment level. The third set of beats was designated "control," and in these, the Kansas City Police Department maintained its usual level of all police services, including preventive patrol. The key finding to emerge from this study was that matched areas of Kansas City experienced little change in their crime rate, regardless of the level of preventive patrol in those areas (Kelling et al., 1974). This unexpected outcome clearly challenges the fundamental belief of most police officials that more police officers patrolling the streets is an effective crime-prevention strategy. Such studies have focused new attention on police objectives, and in particular, on new methods to improve police service to citizens.

I propose that there is no inconsistency at all in the foregoing. What clearly happened in the first New York City experiment was that the crime in one small experimental area simply moved to other areas.

It has been demonstrated that field contacts made by officers in the course of patrol are peculiarly subject to biases against minority and young persons but result in very few arrests (Kalmanoff, 1976:73). It has also been demonstrated that response time is by far the most crucial determinant of the proportion of offenses cleared by arrest (Kalmanoff, 1976:50-51). In a conversation with a former city commissioner responsible for police operations, he told me that he had concluded that the most effective police work could be done by having all Patrol cars waiting at the station to make rapid responses! Evidence about crimes during periods of no patrolling (such as during strikes) suggests, however, that patrolling does serve a preventive function. The proposals above, thus, would produce merely a reduction in the intensity of patrol activity.

Module 6. Modification of grant to Community Corrections Boards resulting from penal commitments.

- a. At the end of each fiscal year, the number of persons committed to the state penal institutions from the jurisdictions in each Community Corrections District shall be computed and compared with the same figure for the previous year. If the number is greater than that for the previous year, the difference times the average cost of maintaining an inmate in a state penal institution shall be deducted from the grant to the Community Corrections Board in the forthcoming year. If the number is smaller than that for the previous year, the difference times the average cost of maintaining an inmate in a state penal institution shall be added to the grant to the Community Corrections Board for the forthcoming year.
- b. The monies received by each Community Corrections Board under the above provision (Module 6.a) shall be used or reserved for use in a program such as described in Module 7.

Supporting information: Clearly the intent of proposing this module is to reduce the proportion of offenders sent to state penal institutions and to increase the proportion of offenders in programs under the Community Corrections Teams. We have seen voluminous evidence from Minnesota and Iowa that such changes in correctional practice have little effect on crime rates, i.e., pose no increase in the threat of crime in communities. Presumably, most of those who would be kept in the communities under the operation of this module would be drawn from those now receiving one year minimum sentences. According to an analysis by one KAA member, 40% of all offenders presently in our prisons have one year minimum sentences. Two questions must be answered about the anticipated reduction of these sentences to jail terms or probation.

1. Would such reduction increase the recidivism of offenders? Lipton, Martinson, and Wilks (1975:81-84) review five studies showing that rates of success are lowest for those serving three months or less and for those serving over two or three years. Increasing age, alone, accounts for part of the increasing success of those who have served long terms. In addition, those serving long sentences are often convicted of inter-personal crimes for which failure rates tend to be low regardless of treatment applied. For both juveniles and adults, but particularly for juveniles, short sentences (or shortening sentences) produce the lowest failure rates.
2. Would such reductions in severity of punishment reduce the deterrent effect of punishment? While it is difficult to be sure, the present evidence indicates that there is little relation between severity of punishment meted out in a community and crime rates in that community. This conclusion is based on Jack Gibbs' analysis of the evidence as of 1975 (Ch. 1). As I read the evidence, it says that severity of punishment (usually measured by length of sentence) is very slightly related to the incidence of property crimes if the chance of getting caught is high and that severity is unrelated to rates of expressive

or emotional crimes. Certainty of getting caught, convicted, and imprisoned is more strongly related to offending, but the actual certainty is so low for the vast majority of our crimes that the data are not very meaningful.

Module 7. Programs with special purposes

- a. Utilizing the monies received under the provisions in Module 6, Community Corrections Boards shall establish programs:
  1. For offenders diverted from the justice system at a given stage, such as pre-trial, pre-sentencing, or on parole.
  2. For offenders with particular problems, such as substance abuse, family tensions, or employment instability.
  3. For offenders with a particular kind of criminal history, such as check offenses, traffic violations, theft, or sex offenses.
  4. For offenders with a particular kind of life experience, such as adolescent gang participation, academic retardation, or racial discrimination.
  5. For offenders who would appear to benefit from a particular kind of treatment, such as group therapy, transactional analysis, or medical treatment.
- b. In general, any one such program should be adequately funded and staffed before other such programs are undertaken.

Supporting Information: The committee is familiar with many such projects. The following provides an example of a well-researched program in this category. Edward de Grazia (about 1975) reports that in the Washington, D.C., Pre-Trial Diversion of Accused Offenders to Community Mental Health Treatment Programs prosecutors and project staff could readily agree on offense and personal history categories which indicated the desirability of mental health treatment for certain misdemeanants and felons whose charges had been reduced to misdemeanors. The diverted offenders all had their charges nolle prossed by the prosecutor if they completed the program. These offenders were minor sex offenders, minor property offenders, and minor drug offenders and, when diagnosed, displayed the full range of psychoses and neuroses. Those treated in the program were compared with a group-matched comparison group of offenders who had been processed before the project began. Not only did the project assure that all the accused received needed treatment (in contrast to the one-third who are nolle prossed or dismissed normally and receive no treatment), but the recidivism (defined as being charged with a new offense within a paired matched time up to one year) rate was lower (slightly) for those in the mental health program. The costs of normal processing through trial and probation of the comparison cases was \$355 per case, while the cost of a mental health program in regular, continuous operation would be \$311 per case. The report also provides limited information about a job-diversion program being run simultaneously which took the least serious, single-offense offenders.



### Phase III. State prison reorganization and construction

- Module 1. Construct and program an enlarged KRDC roughly along the lines suggested by Touche-Ross to provide mental health treatment for offenders whose unit teams deem such treatment called for.
- Module 2. Provide that persons whose pre-sentence investigations do not indicate the presence of serious mental health problems shall be evaluated by unit teams and mental health personnel within the various prisons. (See Arnold, 1975, for comprehensive proposal)
- Module 3. Construct and program a maximum security facility to handle 200 hard core, repeat (third or higher order incarceration) offenders.
- Module 4. Return the Dillon unit to SRS control and use.
- Module 5. Renovate KSP (perhaps by unitizing) so that selected units can serve women prisoners (Phase II would operate to reduce the number of females needing incarceration).
- Module 6. Operate KSP as a medium security institution.
- Module 7. Develop KCIW as an outside dorm.
- Module 8. Modification of paroling and rescinding of parole
  - a. Abolish the Kansas Adult Authority.
  - b. When an individual's unit team has certified the individual's readiness for parole, the unit team will specify conditions of parole they deem appropriate and communicate their decision and recommended conditions for parole to the Community Corrections Team in the intended area of residence. After completing the parole placement investigation, the Community Corrections Team shall make its report to the unit team initiating the action and, assuming the report is favorable, recommend any amendments to the parole conditions. The two units will, if needed, negotiate their differences about the needed conditions of parole. If irreconcilable differences arise over the conditions of an individual's parole, the Secretary of Corrections shall determine the parole conditions that will apply.
  - c. When an individual's Community Corrections Team concludes that a parole should be revoked, the case shall be taken to a court for determination of whether or not, in fact, parole should be revoked. Whenever possible, those whose paroles have been revoked should be returned to the guidance of the same unit team that certified the individual for parole.

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1. Name Aliases, if any Number

2. Home Address Street City State Time here Marital Status C ren

3. Changes in line 2 Time here Race DOB

4. Changes in line 2 Time here

5. Education in years School where last attended

6. Other training or work experience (type and length) Specialty

7. Same as line 6

8. Same as line 6

9. History and characteristics of family in which accused grew up

10. Offense history Source (or attach FBI rap sheet)	Offense	Disposition	Check if Disposition Resulted in Incarceration

(as at present)		
. Changes in item 11 :		
. Total Controlling Sentence	Changes in 13	Changes in 13

. Detainers

. Current family status (general relations with spouse, children, parents, any other relationship of special significance)	Sources of Info.
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. Work and military service record

Type of Work	Dates	Employer	Skill level used or attained
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8. Psychiatric diagnosis

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9. Vocational Training Recommendations

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10. Recommendations for Therapy

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11. Cumulative Record of Responses to Program (reports of counselors' evaluations)



# OVERVIEW

*Attachment IV*



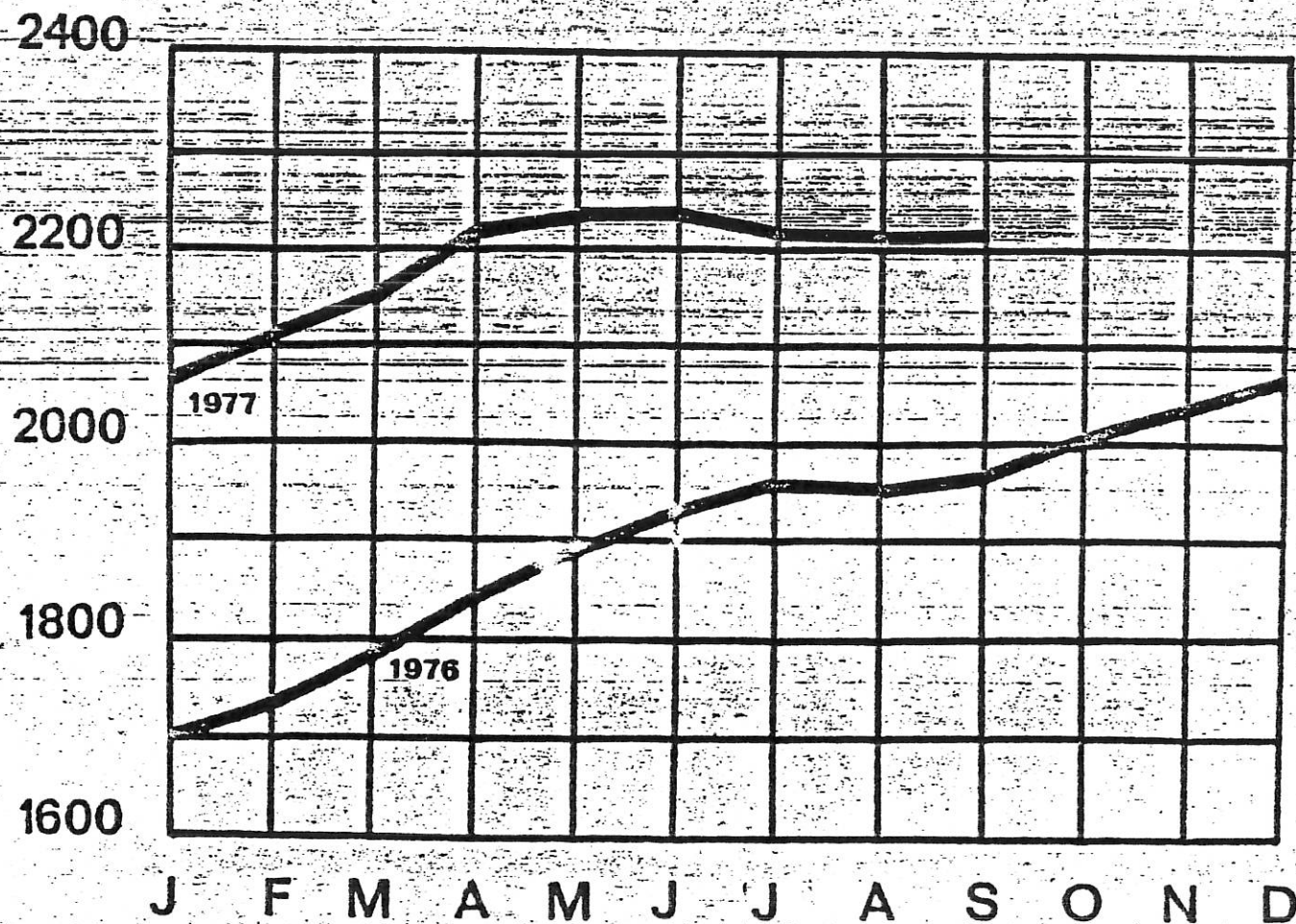
## KANSAS DEPARTMENT OF CORRECTIONS

ROBERT BENNETT  
GOVERNOR

September, 1977

JIM J MARQUEZ  
ACTING SECRETARY

### AVERAGE MONTHLY INMATE POPULATION\*



Kansas had an average adult inmate population of 2,220 in September, which is an increase of four from last month and 253 more than September of last year.

\*The average monthly inmate population is defined as the mean of the inmate count made by Kansas Correctional Institutions at the end of every work-day for a given month.

*Atch. IV*