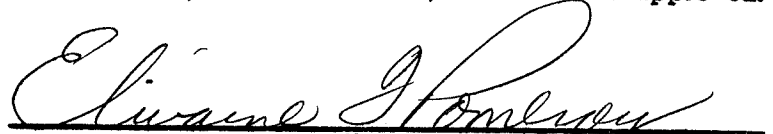


Held in Room 519 S, at the Statehouse at 10:00 a. m./~~p.m.~~, on March 21, 19 79

All members were present except: Senator Gaar

The next meeting of the Committee will be held at 10:00 a. m./~~p.m.~~, on March 22, 19 79

~~These minutes of the meeting held on XXX, 19. were considered, corrected and approved.~~


Chairman

The conferees appearing before the Committee were:

- Thomas E. Kelly - Kansas Bureau of Investigation
- Representative Ward Ferguson
- Representative Phil Martin
- Michael Boyer - Governor's Committee on Criminal Administration
- Max Moses - Kansas County and District Attorneys Association
- Charles Hamm - Kansas Department of Social and Rehabilitation Services

Staff present:

- Art Griggs - Revisor of Statutes
- Jerry Stephens - Legislative Research Department
- Wayne Morris - Legislative Research Department

House Bill No. 2034 - Criminal procedure, prohibiting disclosure of certain arrests. The staff reviewed the fiscal note on the bill.

Tom Kelly testified that the Kansas Bureau of Investigation feels that the bill has some defects that would hamper the system. He stated it would be in conflict with having a jail calendar; it would alter information handling practices of several state and local agencies; it will not have any effect on agencies outside of Kansas. He testified the intent of the bill is good but the application would be difficult. Committee discussion with him followed.

Representative Ferguson, the author of the bill, testified in support of his bill. Committee discussion with him followed.

House Bill No. 2501 - Court costs in mental illness cases. Representative Martin, the author of the bill, testified in support of the bill, which he said was introduced at the request of his district judge.

Mike Boyer of the GCCA testified with regard to concerns about obtaining statistics, and suggested that the bill be amended in lines 28 through 32.

continued -

HB 2501

Max Moses testified that his association was in favor of working out technical problems. Committee discussion with him followed.

Charles Hamm testified that his department makes determination on 20 cases a year; this bill will make the job most difficult.

House Bill No. 2229 - Community corrections act; relating to charges against a county's grant. The handout which is attached was distributed to committee members. Following committee discussion, Senator Parrish moved to report the bill favorably; Senator Hess seconded the motion. Following further committee discussion, the motion carried.

The meeting adjourned.

These minutes were read and approved by the committee on 4-25-79.

GUESTS

SENATE JUDICIARY COMMITTEE

NAME	ADDRESS	ORGANIZATION
Justin Foster	Kansas Legal Services	
Jon Kessler		Sen. Allegretti
Dan Bly	TK	AP
Charles D. Hamm	State Office Bldg	SRS
Trust Sherrill	Topeka	KBT
Thomas E. Kelly	Topeka	KBT
Michael B. Barger	Topeka	CCCA
Max Moses	Topeka	KODAA
Wayne Ferguson	House	
Jose Farias	Emporia	W. C. of E.
Nancy Farias	Emporia	Way College of Emp.
Sheila Toney	Emporia	Way College of E.
Vickie J. Fleming	Emporia	Way College of Emporia

HB 2229

3-21-79

To Charles V. Hamm

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

MEMORANDUM

FROM: Woody D. Smith *WDS*

RE: YCAT Admissions - A, B, & C Felonies

DATE: March 19, 1979

Fiscal year 1978: 191 admissions of which 27 were committed Class A, B, or C felonies. (14%).

Average length of stay (all admissions) for FY 1978 was 345 days.

Per diem costs was \$45.38.

Therefore, the charge back to counties in FY 1978, would be \$2,567,600.40 (164 x 345 x 45.38), for all non A, B, or C felonies.

First Half of FY 1979: 88 admissions of which 14 were committed for Class A, B, or C felonies. (16%).

Average length of stay (all admissions) for first half of FY 1979 was 323 days.

Per diem costs established by Governor for 1979, is \$51.49, so if the trend continues for the rest of FY 1979, YCAT can expect about 148 non- A, B, or C felonies who will be there an average of 323 days at \$51.49 per day or \$2,476,669.00 would be charged back to the counties.

Governor's recommended FY 1980 budget for community corrections was \$2,415,000. FY 1979 was approximately \$480,000.

I was unable to find exact data on the YRC's, but it can be noted that their per diem costs were higher in 1978 (TSH - \$84.19; OSH - \$59.94; LSH - \$66.25). If the average length of stay was 340 days, average population at capacity and average A, B, or C felonies 15%, charge backs to the counties would total as follows for FY 1978:

YRC's:

TSH (15 beds)	-	\$ 364,963.00
OSH (45 beds)		779,519.00
LSH (30 beds)		<u>574,387.00</u>
		\$1,718,869.00

About the only conclusions we can draw from these figures is that if all counties participated in the community corrections act, charge backs to counties for non-A, B, and C felonies for commitments to YCAT and the three YRC's, would total approximately \$4,286,469 for FY 1978.