

Approved _____

Date

2-5-86

MINUTES OF THE House COMMITTEE ON Ways and Means

The meeting was called to order by Rochelle Chronister, Vice-Chairman at _____
Chairperson

1:30 ~~am~~/p.m. on Monday, January 27, 1986 in room 514-S of the Capitol.

All members were present except: Representatives Bunten and Wisdom (both excused)

Committee staff present: Gloria Timmer, Legislative Research
Laura Howard, Legislative Research
Sharon Schwartz, Administrative Aide
Nadine Young, Committee Secretary

Conferees appearing before the committee:

Secretary of Corrections Richard A. Mills
Others present (Attachment I)

Representative Chronister presided as Chairman and the meeting was called to order at 1:30 p.m. She introduced Secretary of Corrections Richard Mills who presented a budgetary overview of the Department and highlighted some of issues of particular importance. He told the committee that the Department very much realizes the challenges facing the legislature this year insofar as limited resources. A copy of the presentation showing facts and figures is attached (Attachment II).

The Budget asked for an additional appropriation of \$393,328 to fund 20 new positions to handle the increase in inmate population. The Department is also recommending the purchase of a meat processing plant at Oskaloosa which would employ inmates in the processing of meat products for consumption by inmates and other state institutions. DOC is also seeking an amendment to allow a deduction of 5% of inmate earnings from private industry employment to be paid to the Crime Victims Reparations Board. Another part of the plan is to permit KCI to sub-contract with private companies in an attempt to reduce inmate idleness.

New bills will be introduced soon as a vehicle in carrying out the above proposals. Mr. Mills also said that bills would be introduced this week to take care of the supplemental budget request.

Vice Chairman Chronister announced that committee would vote on bills tomorrow that were heard in committee last week, as well as hearing proponents and opponents on SB 2. She admonished the members of the committee to please try to get to committee by 1:30, as they have been habitually running late.

The meeting adjourned at 2:30 p.m.

The next meeting will be at 1:30 on Tuesday, January 28, 1986.

Date 1-27-86

Name _____

Address _____

Representing _____

Paula Rippl

Dodge City

guest of Rep. Sughrue

Kathryn Sughrue

"

State Rep.

Polly Skalle

Topeka

AP

Karen McClain

Topeka

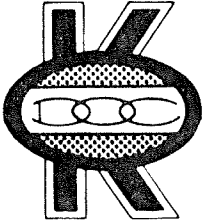
KS. Assoc. REALTORS

Lisa Mendenhall

Topeka

Gov. office

I



KANSAS DEPARTMENT OF CORRECTIONS

INTERDEPARTMENTAL MEMORANDUM

TO: House Ways & Means Committee DATE: January 27, 1986

FROM: Richard A. *Richard A. Mills* Mills, Secretary of Corrections

SUBJECT: Department of Corrections' Budget Overview Presentation

INTRODUCTION

Thank you for the opportunity to meet with you today and outline for your information a budgetary overview for the Department of Corrections (DOC). I have outlined below budgetary issues of particular importance to the Department.

1. Prison Capacity & Population.
2. Completion of On-Going Capital Improvements.
3. Proposed Capital Investment Improvements.
4. New Positions.
5. Reduction of Inmate Idleness.
6. Community Corrections.
7. Proposed Statutory Commission on Correctional Facilities.

PRISON CAPACITY & POPULATION

In this year's legislative message, Governor Carlin noted that when he took office in 1979 Kansas prisons held some 2,323 inmates and that today, our facilities hold 4,590 offenders. The inmate population in all DOC facilities has continued to grow throughout calendar year 1985:

Z. W. M.
1/27/86

TABLE I

<u>End of Month/Year</u>	<u>Actual DOC Facility Population</u>	<u>Net Increase for Year</u>
12-31-84	4,134	80
1-31-85	4,240	106
2-28-85	4,212	78
3-31-85	4,268	134
4-30-85	4,332	198
5-31-85	4,359	225
6-30-85	4,374	240
7-31-85	4,425	291
8-31-85	4,520	386
9-30-85	4,539	405
10-31-85	4,537	403
11-30-85	4,545	411
12-31-85	4,573	439

Calendar year increase: 439 inmates.

By January 22 the population has increased by an additional 17 inmates.

The current Department of Corrections' facility population of 4,590 (as of 1-22-86) compares to a current optimum management capacity of 3,090 and a maximum capacity of 4,451.¹ These capacity figures are adjusted to exclude beds out of service due to renovation work underway at KSP and KSIR.

Listed below are the final projected year-end population totals (June 30) for FY 1986-1990. These figures represent the total estimated inmate census. Thus, Larned State Hospital (LSH) and contract placements should be subtracted to reflect DOC facility populations:

<u>FY 1986</u>	<u>FY 1987</u>	<u>FY 1988</u>	<u>FY 1989</u>	<u>FY 1990</u>
5,012	5,319	5,510	5,626	5,686

For budgeting purposes the population figure utilized is the Average Daily Population ("ADP"), which is arrived at by calculating the in-house population and then determining the mid-point in the growth.

¹ "Optimum" management capacity is the Department's desired operating capacity and translates roughly to one inmate per one single cell. "Maximum" capacity is defined as the greatest number of inmates that the system can tolerate without significant risk and is two inmates per cell containing 56 or more square feet.

For example, for FY 1987 the projected in-house population will be 5,162 (5,319 - 157 =) (157 representing the number of LSH and contract placements). Thus, the ADP for FY 1987 will be 5,009.

The Governor's basic budget recommendation provides resources for FY 1987 to provide for a daily inmate population system-wide of 5,009 inmates.

COMPLETION OF ON-GOING CAPITAL IMPROVEMENTS

The table below lists post-construction rated capacities of ongoing, nearly completed and proposed capital improvement projects.

TABLE II

CURRENT/PROPOSED FUNDING CAPACITY CHANGES THROUGH JANUARY, 1988

Occupancy Date	Event	Net Gain/Loss		Capacity	
		Opt	Max	Opt	Max
	Beginning	-	-	3,378	4,907
	KSP C Cellhouse	(-136)	(-228)	3,242	4,679
June 1985	KSIR D Cellhouse 1/2 Out	(-152)	(-228)	3,090	4,451
Dec. 1985	EHC	32	32	3,122	4,483
Dec. 1985	KSP C Cellhouse Renov.	136	228	3,258	4,711
April 1986	TPR	16	16	3,274	4,727
June 1986	KSIR MSF Exp.	64	64	3,338	4,791
June 1986	KSIR D Cellhouse	162	242	3,500	5,033
Dec. 1987	KCIL Dorm #1	3	123	3,503	5,156
Jan. 1988	KSP Med. Dorm Basement	50	80	3,553	5,236
Jan. 1988	Ellsworth Med.	190	340	3,743	5,576
	TOTAL	-	-	3,743	5,576

A comparison of the capacity increases which can be expected through the completion of ongoing projects and funding of proposed construction reveals that the Department will be operating at or near maximum capacity well into the 1990's. As was stated in the Capacity Report, the definition of maximum capacity attempts to communicate a very strong message. That message is that maximum capacity is a point which a correctional system hopefully will never reach. At maximum capacity, the state of overcrowding would be near a breaking point which could mean disastrous consequences for the institution and the public.

PROPOSED CAPITAL IMPROVEMENTS

The Governor's Investment Budget includes a total of \$6,146,813 for DOC capital improvements.

- \$1.5 million for the FY 1987 lease payment to the Ellsworth Public Building Commission for construction of the medium security correctional facility at Ellsworth.
- \$2,156,301 for construction of a 120-bed dormitory at Kansas Correctional Institution at Lansing (KCIL).
- \$1,926,512 for construction of KCIL Food Service & Program Building.
- \$264,000 to equip the Support Services Building at KSP.
- \$300,000 in systemwide repair and maintenance funds.

NEW POSITIONS

The dramatic increase in the inmate population has placed an extreme burden on existing staff, particularly at KSP. The Governor has characterized his basic budget as "bare bones". The modest increase in correctional staff for FY 1987 certainly meets that criteria. The Governor has recommended \$393,328 be appropriated to fund an additional 20 positions, primarily for additional correctional officers at KSP.

REDUCTION OF INMATE IDLENESS

In February, 1985, the Kansas Correctional Industries Advisory Committee issued its report on reduction of inmate idleness in Kansas prisons. Of the report's recommendations, the Governor has recommended the passage of legislation to permit Kansas Correctional Industries (KCI) to sub-contract with private companies.

The Department is also drafting legislation which would permit the purchase of a meat processing plant at Oskaloosa which would employ inmates in the processing of meat products for DOC and other state institutions. The Department is seeking authority to fund this purchase using a loan from pooled money investment board funds which would be repaid through the room and board payments made by industry inmates. Also, KCI has taken over operation of the state and federal surplus property programs.

Finally, DOC is seeking to amend K.S.A. 75-5211 to allow a deduction of 5% of inmate earnings from private industry employment to be paid to the Crime Victims Reparations Board. This is necessary to obtain certification of our private industry program.

COMMUNITY CORRECTIONS EXPANSION

During 1986 the Department of Criminal Justice of Temple University will conduct a study of the Kansas Community Corrections Act. The 18-month study will be funded by a \$175,000 grant from the Edna McConnell-Clark Foundation of New York. The study will be a valuable tool in comparing the cost effectiveness of community corrections, probation and incarceration as alternatives to dealing with offenders.

For FY 1987 the Governor's budget funds existing programs at \$4,953,504. This includes an expansion of the program to include Douglas County in early FY 1987.

PROPOSED STATUTORY COMMISSION ON CORRECTIONAL FACILITIES

This session, the Special Committee on Federal and State Affairs has recommended the establishment of a statutory Commission on Corrections to attempt to bring together representatives of the judiciary, the district attorneys and defense bar, the legislature, the parole board and the public to forge new solutions to our prison overcrowding problem. It is my firm belief that a coordinated effort on the part of all of the actors within the criminal justice system is needed, to bring this problem under control, not just for the short term but for the future. I would ask that you support this effort.

My staff is preparing a list of programs and community options which would provide alternatives to traditional incarceration for selected groups of offenders and I believe that such a Commission would be the appropriate forum to hammer out the details of how some of these alternatives could work or if they could work at all.

Again, I thank you for the opportunity to present these recommendations to you for your review. I look forward to working together with the Governor, the legislature and the citizens of Kansas to create the safest and most productive correctional system possible.

RAM:dja

DEPARTMENT OF CORRECTIONS

Fiscal Highlights

1986 Legislative Session

January 1986

Richard A. Mills, Secretary

Prepared by: Management Services

DEPARTMENT OF CORRECTIONS

SYSTEM HIGHLIGHTS

Population - For Fiscal Year 1987, it is anticipated that the inmate population within the correctional system will continue to increase with a systemwide average daily population (ADP) totaling 5,009 offenders, compared to a revised estimate of 4,615 offenders for the current FY 1986 (an increase of 425 offenders over the original FY 86 estimate of 4,190 ADP). The Governor has recommended a supplemental budget increase for FY 1986 to cover the additional costs for the increased FY 86 ADP which primarily affected the State Reformatory at Hutchinson and the Kansas Correctional Institution at Lansing. We will continue to watch these population figures very closely and will keep the Governor and the Legislature informed of any possible major change that could have a fiscal impact during the current fiscal year and for FY 1987.

Highlights of Programs by Agencies Under the Jurisdiction of the Department of Corrections

Department of Corrections - Agency 521

1. Central Management - Maintaining and continuing the same level of program.
2. Correctional Industries - Recommendation for FY 1987 includes two new positions to provide the necessary supervision and support for the addition of 35 jobs for inmates in expansion of the furniture and records conversion/data entry programs.
3. Community Services - Maintains and continues the current level of operations for the Community Services Programs (jail, parole, work release and pre-release).
4. Community Corrections - This program addresses the statutory increase for community corrections county participants which is 70% for the first year, 90% for the second year and 100% for subsequent years. During FY 1987, Montgomery County will reach the 100% range, and Saline County will reach the 90% range with all other counties participating at the 100% range. In addition, this includes funds for Douglas County (\$178,622) which will enter the program and begin receiving entitlements on October 1, 1986. Douglas County was originally approved to begin on April 1, 1986, but delayed until October 1, 1986. Adjustments have been made within the FY 1986 budget for this delay.

5. Honor Camps - This program provides the necessary resources to continue the current level of operations for the El Dorado and Toronto Honor Camps, including resources associated with the expansion of the El Dorado facility from 64 to 96 offenders. It also includes the continuation of the pilot program to maintain highway rest areas and facilities and will continue to share costs associated with the three correctional officer positions used in supervising this program within the Toronto, El Dorado and Wichita areas.
6. Capital Improvements - Basic Budget - For FY 1987, funds are recommended (\$230,000) for the completion of the remodeling and construction of the addition to the main building of the Toronto Honor Camp.

Capital Improvements - Investment Budget - For FY 1987, the Department of Corrections must request your serious consideration for those capital improvement programs that are outlined in the investment budget. With the population of our correctional system continuing to grow and with the current overcrowding of our correctional facilities, we must move ahead with the plans that include a new 120-Bed Dormitory (\$2,156,301) and Food Service and Program Building (\$1,926,512) at the Kansas Correctional Institution at Lansing, along with the Ellsworth Medium Security Facility (\$1,500,000), and funds for equipment that will be needed upon completion of the Support Services Building at KSP (\$264,000), in addition to funds for systemwide repairs and maintenance (\$300,000) for correctional facilities. In all, the above projects would require \$6,146,813.

Kansas State Penitentiary - Agency 525

For FY 1987, the Governor's recommendation provides the necessary resources to support an estimated average daily population of 2,550, which places additional demands upon the institution operation. In meeting these demands, 18 positions have been recommended to assist with the increased workload caused by overcrowding. This number includes 15 additional Corrections Officer II positions which will provide added security for overcrowded cellhouses, dining areas, transportation escorts, supervision of work details, shakedown, etc. It also provides for one Corrections Officer III* position to supervise a detail of up to ten inmates who will be providing a work detail for the education facility.

In addition, a Psychologist II position is to be added to augment mental health counseling services and a Clerk Typist II position is added to handle the increased workload caused by population growth.

*The salary and fringe benefits for this position will be paid by the Leavenworth USD 453.

Also proposed is \$9,798 for contract consulting services for drug/alcohol and sex offender counseling.

Capital Improvements - Provides additional funds which continue the projects already underway, including improvements in the water supply and distribution system and the completion of the new Support Services and Administration Building at KSP.

The additional funding needed to provide the required equipment for this new facilities is contained within the Governor's Investment Budget which will need to be addressed in conjunction with the completion of the Support Services Building.

Kansas State Industrial Reformatory - Agency 313

For FY 1986, the institution's estimated daily population has been revised to 1,149 ADP, an increase of 291 inmates. This creates additional estimated expenses of \$343,930. Of this cost, we are estimating that around \$48,162 can be absorbed within our current authorized budget requiring consideration of a supplemental budget request for FY 1986 of \$295,768, which the Governor has recommended.

For FY 1987, the recommendation provides for the necessary resources to maintain the current level of programs to support an estimated average daily population of 1,440 inmates.

Capital Improvements - For FY 1987, funds are recommended to continue and complete the ongoing projects consisting of: Purchase and Installation of Stand By Electrical Generators (\$517,000), and the Replacement of Steam Lines (\$130,000).

Kansas Correctional Institution at Lansing - Agency 307

For Fiscal Year 1986, the average daily population has increased from 183 to 196 with the additional costs being absorbed within the current authorized budget. Medical costs are continuing to run very high resulting in the need for a supplemental budget request of \$26,321 recommended by the Governor. This area will have to be monitored very closely and additional consideration of funds could be required. We will keep the Governor and the Legislature aware of increases in medical expenses.

For FY 1987, resources have been provided to support an estimated ADP of 196 inmates. In addition, funds from the Job Training and Partnership Act (JTPA - \$28,330) and Carl-Perkins (\$28,330) funds are recommended to continue the Horticulture and Building Trades Programs which were started in FY 1986 from JTPA funds provided the Kansas State Penitentiary.

Capital Improvements - Contained within the Governor's Investment Budget proposal, the construction of a new 120-Bed Dormitory (\$2,156,301) and a new Food Service and Program Building (\$1,926,512) very much needed in carrying out our duties and responsibilities.

Kansas Correctional-Vocational Training Center - Agency 145

For FY 1987, the recommendation provides the necessary resources to continue the current level of operations and programs for an ADP of 220 inmates.

State Reception and Diagnostic Center - Agency 551

For FY 1987, the recommendation provides the necessary resources to continue the current level of operations.

Capital Improvements - The thirty-two bed expansion program will be completed with existing appropriated funds.

COMMUNITY CORRECTIONS
PROGRESS REPORT

July 1, 1984 - June 30, 1985
FY 85

PARTICIPATING COUNTIES:

Bourbon/Linn/Miami, Leavenworth, Montgomery, Riley, Sedgwick, Shawnee and Wyandotte

PROGRAM ADMISSIONS: FY 85

	<u>Alternative To¹</u> <u>Prison Program</u>	<u>Alternative To</u> <u>Youth Ctr Program</u>	<u>Victim Services</u>	<u>Other²</u> <u>Programs</u>
Admitted During FY85	511	72	1407	1323
(442 Direct Admissions) (92 Prison Sentences Modified with 120 Days-Counted as 3/4 of an Admission)				
Total Offenders Served In Program During FY85	1103	144	1407	1335

PROGRAM EXPENDITURES: FY 85

\$2,959,007 was reported expended by participating counties in FY 85. Of this amount \$1,959,125 or 66.2% was expended on alternative to prison programs, \$614,897 or 20.8% on alternative to youth center programs, \$133,354 or 4.5% on victim services and \$251,631 or 8.5% on other programs.

The annual cost per person is \$1,776 for alternative to prison programs and \$4,270 for alternative to youth center programs (based on expenditures divided by number served). The annual state cost per bed for Kansas correctional facilities is \$10,760 and \$28,821 for youth centers.

OFFENDER RESTITUTION, COMMUNITY SERVICE, EMPLOYMENT: FY 85

\$ 113,022	Collected in restitution
\$ 27,754	Collected in court costs and fines
\$ 33,913	Fees paid to defer program costs
\$1,084,281	Wages earned ³
\$ 102,576	Taxes paid
8,365	Community Service hours worked
431	Offenders obtained employment after entering Community Corrections
212	Maintained previous employment

TYPES OF SERVICES:

The following types of services were provided through Community Corrections in FY 85: Work Release, Residential Programs, Intensive Supervision, Employment, Job Readiness Training, Education, Substance Abuse Treatment, Mental Health Assessment and Counseling, Victim and Witness Services, Crime Prevention, and Juvenile Delinquency Prevention.

ANTICIPATING COUNTIES:

1) Johnson County will be ready to resume operation November, 1985. The county has been planning since May, 1984. The core of the new plan is a structured residential center, which was not a part of the suspended plan, and a reorganized satellite intensive supervision program.

2) Douglas County is studying the possibilities of a comprehensive program and has received planning funds. If Douglas County chooses to participate, the tentative date of operation is October, 1986. Douglas had 12 chargeback category prison admissions and 7 youth center admissions in FY 85.

3) Saline County is also studying the possibility of a comprehensive program and has received planning funds. If Saline chooses to participate the tentative date of operation is April 1, 1986. Saline County had 21 chargeback category prison admissions in FY85 and 12 youth center admissions in FY 84.

BUDGET REQUEST FY 1987:

\$4,953,504

(Revised 1-86)

FISCAL IMPACT:

In State FY 85, 511 adult offenders were admitted to Community Corrections programs. If these 511 offenders had been incarcerated in state facilities the cost for one year would have been approximately 5.5 million dollars. If a minimum security facility were built to house these 511 adult offenders the cost would be approximately \$13,286,000, based on an average of \$26,000⁴ per bed.

Seventy-two juvenile offenders were admitted to Community Corrections programs. If these offenders had been incarcerated in state facilities the cost would have been approximately 2.1 million dollars.

The cost, if these 511 adults and 72 juveniles were sent to state facilities, would have been approximately 7.6 million dollars. The total cost of operating 7 Community Corrections programs during FY85 was approximately 2.9 million dollars.

FOOTNOTES:

1. Admissions are counted as one for each direct admission plus 3/4 for each prison sentence modified admission for a total of 511. Example: 442 direct admissions + 69 (3/4 of 92) = 511.
2. Includes offenders served in diversion screening and supervision, preventive services for juveniles, pre-sentence screening and evaluations of offenders not counted under alternative to prison and youth center programs.
3. Does not include Wyandotte, Leavenworth and B/L/M county programs.
4. Based on a range of \$5,000 - \$57,000 per bed from "Report To The Nation on Crime and Justice", U.S. Dept. of Justice, 1983.

Prepared by: Kansas Department of Corrections; Community
Corrections, Division of Community Services

9/19/85