

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Robert Frey at _____
Chairperson

10:00 a.m./~~p.m.~~ on February 1, 1988 in room 514-S of the Capitol.

~~All~~ members ~~were~~ present ~~except~~: Senators Hoferer, Burke, Feleciano, Gaines, Langworthy, Parrish, Steineger, Winter and Yost.

Committee staff present:

Gordon Self, Office of Revisor of Statutes
Mike Heim, Legislative Research Department
Jerry Donaldson, Legislative Research Department

Conferees appearing before the committee:

Roger Endell, Department of Corrections

Senator Jeanne Hoferer chaired the committee in the absence of the chairman.

The vice-chairperson announced the Kansas City Outside Connection group was present to hear Roger Endell speak to the committee.

Roger Endell, Secretary of Corrections, addressed the committee concerning prisons and Senate Bill 111. He stated in assessing the problems faced by the Department of Corrections there are basically two choices. One is to release a large number of prisoners through various forms, or the construction of a lot of beds. Under the heading of management, the major problem is the issue of overcrowding. The two deputy secretaries are responsible for two major regions of the state. The third deputy secretary is in charge of developing statewide programs. Secretary Endell stated the main problem is stability and consistency. The emphasis has to be on management. Regarding professionalism in correctional ranks, we need the highest caliber of professional we can find. We need to put the offender population to work. The meaningful work opportunities would be institutional maintenance sort of thing, such as people service kinds of projects, and correctional industries. He stated these people ought to work. We want to teach them work-skills and how to live from results of that work, so they can go back into society as better people and better trained people. The issue of overcrowding is serious and severe. The growth rate increase from 1983 to 1987 is 69% and increasing. We take in an average of 400 offenders a year. This is above and beyond releases. We need to have 400 new beds, and they need to be created each year every year from now on until that trend changes. He said the inflow of inmates into the system can be slowed down. We have to speed up the outflow system with furlough programs. We do have mechanisms which don't require new construction. Secretary Endell said it is important decisions must be made as soon as possible. We can meet the prison standards if we can reduce the prison population. We need to reduce the prison population by 1500 prisoners. He said, in his view we need to withdraw 1500 from the penitentiary and 500 from the reformatory. We need to divert 1900 people out of the system or build 1900 beds for them. It is possible to get out of this trouble, but we need to make decisions right away.

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Secretary Endell stated we need to develop programs in priority fashion. Certain programs should be available to all prisoners at all sites. Everyone should know how to read and leave the system with a high school diploma or GED. We need to develop programs of work skills. We need to have meaningful work opportunities while the inmates are serving their sentence. We need a parole release mechanism to find a way to release the offender who has served their time at a work release center.

Secretary Endell stated Kansas can't afford a piecemeal approach to solving problems in the correctional system. A piecemeal approach is not going to get us out of trouble. The priority issue is very simple, either divert prisoners out of the system right now, or construct beds for them as soon as possible. For everybody we release that eliminates a bed we will have to build. He urged the committee to separate the correctional issues from the political arena. This job cannot be done alone. I will need the legislature's help.

Regarding the impact of Senate Bill 111 Secretary Endell stated he does not have reliable data from the other agencies that is solid information. The Department of Transportation reported 66 passengers were killed in alcohol related accidents. Fifteen hundred passengers were injured and 224 passengers were fatal accidents. The Department of Revenue reported 14,457 DWI arrests, and 7,447 DWI convictions. The courts saw in 1986, 5,000 DWI cases filed. From these figures 100 to 500 convictions could be possible.

During committee discussion a committee member inquired we are asked to look at the politics, we are faced with a lawsuit that has been refiled and we must do something right now, what do we do? Secretary Endell stated he hoped to have a draft analysis with alternative recommendations. The real problem is the policymakers will have to decide if 500 prisoners can be released. He reported 95% of inmates locked up are in for violent crimes, and these people are not good risks. The problem is finding people who are good risks. A committee member was interested in the community corrections and funding formula. Secretary Endell replied the program is not working very well. There are a lot of good intentions. It probably would accomplish just as much if you take the exact same amount of money and allow the Department of Corrections to divert the same offenders. We will get more beds at less cost with that same concept. He suggested consider giving the entire program to the court system, the probation people. He said community corrections will give you far more for the dollar than institutions will. The lower risk prisoners should be put in less costly beds. He suggested taking that same pool of money, and tell people in the communities. It should all be competitively bid. Another committee member was concerned with the problem of 1900 inmates and what we are going to do about it. Secretary Endell replied he is working on a report now. He needs some estimates on construction dollars on renovation and new construction. He feels a large number of prisoners can be put together to manufacture their own houses. A committee member inquired what the percentage of the prison population is sex offenders? Secretary Endell answered there are 1100 to 1200 sex related offenders in our system. The committee member inquired if there is anything

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that can be done to treat those people and put in work release program? Secretary Endell replied the offenders have to be divided. The violent rapist is the hard type to work with. There is another type that is not a management problem. In response to a question Secretary Endell replied Kansas has the highest growth rate over an estimated period of time for the most recent four year period. He said it is important to put these things in perspective. Kansas University has 24,000 students and Kansas State has 15,000 to 18,000 students. We have 5,800 prisoners. If space is needed for students, they will be knocking down doors to provide space for them, but it is difficult to provide resources to take care of overcrowding. A committee member inquired if there is any merit in going to contracting with private enterprise? Secretary Endell replied yes, it has merit, particularly at community corrections level. The states of Colorado and Washington have spare bed space. There may be tentative ways to use these but that is all it would be.

The meeting adjourned.

A copy of the guest list is attached (See Attachment I).

GUEST LIST

COMMITTEE: SENATE JUDICIARY COMMITTEE

DATE: 2-1-88

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Doniphe Odum	1107 Randolph LV KS	KANSAS CITY OUTSIDE COMM.
Frona Bennett	619 Taylor Topeka KS	K.C. OC
Esther Clayborn	2001 So 74th	Outside Connection KCK 66106
AMBER ROSE Halcomb	2039 S Ashland ^{KC. Mo}	Vikitor K.C. O.C.
Mary Ellen Spink	109 W. Daniel ^{Sumner} Sp.	K.C. Outside Conn.
Edward L Hobson	7252 MONTANA KCKS	KC-OUTSIDE COMM.
Patricia Depant	2109 Ridge, K.C. KS.	KC. Outside Connection
Laura L. Hardyway	1122 Freeman	KC Outside Conn.
Jarvis King	1020 Splitlog	K.C. Outside Connection
Sean Anderson	4205 W. 110th, Leawood	K.C. Outside Connection
John Conard	Topeka	Governor's Office
Grace Feltzman M.D.	9231 Belinder ^{Leawood} KS.	K.C. Outside Conn
Jim Clove	Topeka	KCPAA
Spence Lindberg	Topeka	A.G.
Shirley Heyward Elmore	183 Beech Garden Ks.	KC Outside Connection
Carolyn Litchman	20595 So. Ridgeway Spring Hill, KS 66083	KC Outside Connection
Brenda Braden	Topeka	AA
Marjorie VanBuren	Topeka	ONA
Don Johnson	Olatho	Outside Connection
Robert Wilson	Olatho	Outside Connection
GARY STOUTS	TOPEKA	DEPT. OF CORRECTIONS
Roger Endell	Topeka	" " "
Don Stumbaugh	Topeka	CVRB
George Wessels	"	"
Billy John	KCKS	K.C. O.C.

Attach. I