

Approved 2-7-89
Date

MINUTES OF THE House COMMITTEE ON Appropriations

The meeting was called to order by Bill Bunten at
Chairperson

1:30 ~~xxx~~/p.m. on January 26, 1989 in room 514-S of the Capitol.

All members were present except: Representative Fuller (excused)

Committee staff present: Ellen Piekalkiewicz, Legislative Research
Debra Duncan, Legislative Research
Jim Wilson, Revisor of Statutes
Sharon Schwartz, Administrative Aide
Sue Krische, Committee Secretary

Conferees appearing before the committee:

Roger Endell, Secretary, Department of Corrections

Roger Endell, Secretary, Department of Corrections (DOC), addressed the Committee on the current status of corrections initiatives and distributed a DOC Fact Sheet (Attachment 1). Secretary Endell noted there will be a supplemental request for FY89 for construction at Hutchinson and Ellsworth because the two projects have proceeded faster than anticipated. Regarding the 400 community custody beds authorized by the Legislature, 100 beds are located in Topeka and 100 beds at El Dorado. If the second and current contractor is unsuccessful in locating 200 beds in the Wyandotte-Johnson-Leavenworth County area by mid-February, that objective will be pursued elsewhere in the state.

KDOC is working with Labette and Meade Counties to establish two Community Corrections Conservation Camps of 100 beds each for offenders serving six months or less. Using the boot camp model, these facilities and the offenders would be under the jurisdiction of the Court rather than the DOC. This would be used for diversion and would be a sentencing alternative for judges.

The Committee viewed a video on the Kansas Correctional Facility Expansion Program at Hutchinson, Ellsworth, Norton and Stockton.

During discussion, Secretary Endell stated converting an existing facility to a prison can be less expensive, but the Department is then limited to housing lower custody level prisoners there. Secretary Endell stated pre-release centers and community custody centers are basically the same with largely the same custody class of inmate. In response to a question, he advised that the design of the dormitory at Hutchinson will be site-adapted at the Kansas Correctional Institution at Lansing to house 240 inmates at a cost of \$4 million. This project will take the rest of the calendar year to complete.

In response to a question, Secretary Endell explained that a proposed new prison facility will need beds for 256 mental health-related inmates, 128 special handling inmates, 256 maximum security inmates, 128 reception and diagnostic inmates, and 64 minimum security inmates for a total of 832 inmates. He stated a new institution is needed to take the most difficult inmates because there is nowhere else to put them. Based on these needs, he believes an 800-bed facility expandable to 1,400 is justified.

Regarding the Community Corrections Act, it was noted the Attorney General's opinion indicated state community corrections funds could be used for acquisition of property. Secretary Endell advised no state corrections personnel will staff the community custody facilities. They will be operated by the private sector under a three-year renewable

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Appropriations,
room 514-S, Statehouse, at 1:30 ~~am~~/p.m. on January 26, 1989.

contract to the DOC. Representative Solbach requested Secretary Endell to furnish him a copy of the letter written to existing community corrections programs requesting back-door slots for DOC inmates.

In response to a question, Secretary Endell stated he has furloughed one inmate under the furlough provision of HB 3079. The decrease in overall population from July through December of last year is the result of advancing parole eligibility dates under HB 3079. It is predicted the population will now begin to grow as before.

Secretary Endell distributed a handout listing "Highlights of the Governor's Budget Recommendations" (Attachment 2) and a schedule of Operating Costs per program (Attachment 3). Representative Shriver requested a listing of the number of inmates in each of the community corrections residential programs listed on Attachment 3.

In HB 2040 - Capital Improvements Supplemental - the DOC has requested \$2.9 million to be used for planning a new correctional facility. Secretary Endell indicated most of that amount will be used for architectural engineering costs for site surveys.

Representative Chronister announced that Subcommittee No. 1 will hold hearings on possible sites for a new correctional facility the week of February 6.

The meeting was adjourned at 3:00 p.m.

GUEST LIST

COMMITTEE: HOUSE APPROPRIATIONS

DATE: 1-26-89

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Dennis Williams	Topeka	Dept. of Corrections
Philip Schlap	CONCORDIA	CITY OF CONCORDIA
Kirk Lowell	1220 Broadway Concordia	Prison Decision Task Force
Jan Daventon	Hutchinson	ECON DEV. CORP.
KEVIN ROBERTSON	TOPEKA	RUSSELL CC
Thomas Sloan	Topeka	DOC
Dave Gardner	Russell	City
Islando Jirko	Russell	Prison Task Force
Brad Seibel	Russell	Prison Task Force
Gary Mai	Russell	Mayor
George Barber	Topeka	Russell
Patrick J. Shurley	Topeka	El Dorado
Paul Deink	5314 7th Concordia	Prison Decision Task Force
RICHARD U. NIENSTEDT	CONCORDIA	CONCORDIA CITY MGR.
DAVID E. PETTER	"	" City Attorney
Beu Bradley	TOPEKA	KS Assoc Counties
Tom Heles	Topeka	Shannon County
KEVIN P. SPARKS	LAWRENCE	K.U.
Mary Kay	Hutchinson, KS	Hutch. Corr. Work Fac.
Mike Nelson	Ellsworth, KS	Ellsworth Corr. ^{Station} Work
Walter E. Zimmerman	Hutchinson	Hutchinson Corr. Work Fac.
Rebecca Rice	Topeka	Holtan Co, Inc
John Peterson	Topeka	

On December 30, 1988, a total of 5,595 people, 5,336 men, and 259 women, were being held in the custody of the Kansas Department of Corrections.

On December 30, 1988, the 16 operational facilities in the Kansas Department of Corrections, had a total operating capacity of 4,262 beds.

KDOC was under Federal Court Order to limit the population of the Kansas State Penitentiary to no more than 1871 inmates by December 31, 1988. The Department was able to comply with that order, but the operating capacity at the Penitentiary is only 1,412.

The population of the Kansas State Reformatory in Hutchinson on December 30, 1988, was 1,701 inmates. KSIR has an operating capacity of 847 inmates. On December 23, 1988, KDOC was ordered by the Federal District Court, to reduce the population at the Reformatory to no more than 1,303 inmates by April 1, 1989.

Currently, KDOC is proceeding with plans to construct approximately 1,500 new minimum and medium security beds, which will allow the Department to comply with population reductions ordered at KSIR. These beds are being constructed at four sites.

- 1) Hutchinson Correctional Work Facility - A total of 400 inmates will begin moving in to the HCWF between mid-January and mid-March of 1989.
- 2) Ellsworth Correctional Facility - Currently, 300 inmates are being housed, and working, at the ECF. When the facility is complete in July of 1989, it will house an additional 200 inmates.
- 3) Norton Correctional Facility - Currently, 240 inmates are living, and working, at NCF. By the time the facility is complete in July of 1989, it will house an additional 260, for a total of 500 inmates.
- 4) Stockton Correctional Facility - On Monday, November 28, the first group of 20 inmates arrived at SCF. By the end of January, a total of about 100 inmates will be incarcerated at SCF.

In addition, KDOC has contracted with a private company, which is providing 200 community custody beds. One Community Residential Center is located in El Dorado, the other at Forbes Field in Topeka. KDOC is currently working with another contractor to provide an additional 200 beds in the Wyandotte/Johnson/Leavenworth County area.

KDOC is also working with officials from Labette and Meade Counties to develop two Community Corrections Conservation Camps, which will help divert up to 400 low security risk offenders per year from incarceration in existing correctional facilities.

The total appropriation for the abovementioned projects, was approximately \$28 million, approved by the 1988 session of the Legislature.

Lawmakers also approved a \$750,000 appropriation, for study, and planning of a new multi-security facility. The study is complete, and the planning had begun.

The study has identified the need for an additional 1400 maximum and medium security beds, to reduce the populations of KSP and KSIR to the operating capacities of those institutions, and keep pace with an anticipated annual population growth of 400 inmates per year.

KDOC is currently under contract with Goessen-Livingston Architects of Wichita, proceeding with three possible optional plans for a multi-security institution.

Option 1 -

Construction of one (1) fully operational 740 bed institution which would be designed and expandable up to 1,400 beds. Total initial capital cost estimated at \$55 million.

Option 2 -

Construction of one (1) fully operational 1,400 bed institution at a total capital cost estimated at \$70 million.

Option 3 -

Construction of two (2) fully operational 750 bed institutions, which would each be designed and expandable up to 1,400 beds. Total initial capital cost estimated at \$107 million dollars. This option would best meet the long term needs of potential future expansion which have been identified by KDOC.

HIGHLIGHTS OF GOVERNOR'S BUDGET RECOMMENDATIONS

FY 1989

- Governor's systemwide recommendation for operating expenditures reflects an increase of \$39.4 million over actual FY 1988 expenditures. This increase reflects additional expenditures of \$2.0 million for costs of a class action suit for correctional officers; \$2.8 million for community custody programs; \$4.5 million for inmate programs; \$3.6 million for community corrections; \$15.2 million for new and expanded facilities at Stockton, Norton, Ellsworth, and Hutchinson; \$1.6 million for other expansion facilities; \$7.0 million for operation of existing facilities in Lansing, Topeka, and Hutchinson; \$1.2 million for expansion of parole services; and \$1.5 million for miscellaneous programs.
- Governor's systemwide recommendation for total expenditures reflects net additional State General Fund financing of \$9.1 million over authorized budgets.
- Governor recommends supplemental appropriations of \$2.5 million and \$2.1 million for operation of the Hutchinson and Ellsworth correctional work facilities. In addition, the Governor's recommendation provides a supplemental appropriation and State General Fund transfer of \$1.3 million for development of the industries program at the Hutchinson facility. In that current operating budgets are not sufficient to maintain operation of these facilities past February, these items will be included in an emergency supplemental appropriations bill.
- Governor's recommendation includes special revenue funds of \$235,000 to finance reconstruction of the paint factory at KSP. This item will be included in the emergency supplemental appropriations bill.
- Governor recommends a supplemental appropriation of \$2.9 million for final planning of the new correctional facility.

FY 1990

- Governor's systemwide recommendation for operating expenditures reflects an increase of \$16.5 million over the recommended amount for the current fiscal year. This increase reflects additional expenditures of \$2.4 million for inmate programs; \$1.6 million for community corrections; \$6.0 million to provide full year funding for facility operations at the Norton, Stockton, Ellsworth, and Hutchinson correctional facilities; and \$6.5 million for operation of other facilities and pro-

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Attachment 2

grams, including new staff positions, employee salary increases, special salary enhancements under Phase III of the classification study, and increased employer contributions for health insurance.

- Governor's recommendation includes first year bond payment of \$6.25 million for construction of a new 752-bed correctional facility, with the potential for expansion to 1,400 beds, at El Dorado, Concordia, or Russell. Bond payments would be made for a 20-year period.
- Other major capital improvement recommendations include construction of a new steam generating plant at the Kansas State Penitentiary, replacement of cellhouse locking systems at the Kansas State Industrial Reformatory, and a total of \$1.65 million for major maintenance projects for the fiscal year period 1989-90.
- Governor's recommendation of \$11.1 million for contract inmate programs reflects an increase of \$2.4 million over the current year recommendation. This increase will allow for annualization of programs funded for only a portion of the current fiscal year, provide additional resources for inflationary increases, and allow for some program expansion.
- Funds for medical and mental health care have been centralized and included in the budget for the Department of Corrections, reflecting implementation of a contract with Correctional Medical Systems, Inc. on December 18, 1988. Implementation of the contract will result in a systemwide reduction of 52.1 positions.
- Governor's systemwide recommendation includes a net addition of 137 new positions for the Department and correctional facilities. Systemwide request totaled 257.2 positions.
- Governor's recommendation includes financing for 11 new positions at KSP and support costs at KSP and KCIL for implementation for the death penalty.
- Governor's recommendation for community corrections continues funding for currently participating counties at statutory entitlement rates and provides full year funding for community conservation camps (100 beds each) in Meade and Labette counties, at the rate of \$27 per day. Total FY 1990 cost for the community corrections program reflects an increase of \$1.6 million over the recommended amount for the current fiscal year.

- Governor's recommendation for community custody program provides funding for for community residential centers (400 beds) and contract work release (6 beds) at the rate of \$21.50 per day.

Operating Costs Per ADP*

<u>Facility/Program</u>	<u>Cost Per ADP</u>
Kansas State Penitentiary	\$13,129
Kansas State Industrial Reformatory	11,107
Kansas Correctional Institution at Lansing	19,888
Kansas Correctional Vocational Training Center	15,984
State Reception and Diagnostic Center	19,297
Ellsworth Correctional Work Facility	14,815
Hutchinson Correctional Work Facility	14,036
Winfield Correctional Facility	12,516
Norton Correctional Facility	15,423
Honor Camps (including contract jail)	7,327
Honor Camps (excluding contract jail)	10,524
Osawatomie Correctional Facility	14,621
Wichita Work Release Center	11,280
Topeka Correctional Facility	15,051
Forbes Correctional Facility	13,439
Stockton Correctional Facility	16,016
Medical Contract (DOC budget)	1,527
Inmate Programs (DOC budget)	1,608
Systemwide Average	\$16,538

*Based upon Governor's FY 1990 recommendations.

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Attachment 3

Community Corrections Residential Programs

Facility	Daily Per Diem Rate	Cost Per ADP
Sedgwick County Community Corrections Residential Program	\$32.00	\$11,680.00
Shawnee County Community Corrections Work Release Program	42.32	15,446.80
Johnson County Community Corrections Residential Center	37.00	13,505.00
Topeka Halfway House	36.00	14,417.50
Halfway House for Adults	26.08	9,519.20
VIP Topeka Community Residential Center	23.72	8,659.23
VIP - El Dorado Community Residential Center	23.91	8,727.33