

Approved 4/3/89
Date

MINUTES OF THE Senate COMMITTEE ON Federal & State Affairs

The meeting was called to order by Senator Edward F. Reilly at
Chairperson

11:12 a.m./~~p.m.~~ on March 28, 19 89 in room 254-E of the Capitol.

All members were present except:

Senator Yost who was excused.

Committee staff present:

Emalene Correll, Legislative Research Department
Mary Ann Torrence, Revisor of Statutes Office
Marty Robison, Secretary

Conferees appearing before the committee:

Tom Witty, State Archeologist

Chairman Reilly called the meeting to order.

Senator Morris moved the minutes of March 27 be approved. Senator Vidricksen seconded and the motion passed.

A hearing was held for HB 2380 which deals with the exemption to the open records act for information on the precise location of archeological sites.

Tom Witty appeared before the committee to request support for exempting the location of recorded archeological sites from the open records act. They are concerned with sites on private property and wish to restrict items 4, 10, and 27 on the site form (Attachment 1).

Senator Vidricksen moved the bill be reported favorably. Senator McClure seconded and the motion passed.

Senator Strick requested introduction of a bill which would limit construction of a solid waste area within a mile of a water intake. Senator Anderson moved the introduction of the proposal. Senator Strick seconded and the motion passed.

Chairman Reilly presented the issues involved in prison overcrowding and some options for the committee to consider to address the problem (Attachment 2).

Senator Strick made a conceptual motion to prepare a bill to implement a plan for prisons with the costs included. Senator McClure seconded and the motion passed.

The meeting was adjourned at 12:00.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.



KANSAS STATE HISTORICAL SOCIETY

CENTER FOR HISTORICAL RESEARCH

120 West Tenth ▪ Topeka, Kansas 66612-1291 ▪ 913/296-3251

KANSAS MUSEUM OF HISTORY

6425 South West Sixth ▪ Topeka, Kansas 66615-1099 ▪ 913/272-8681

March 28, 1989

Senator Edward F. Reilly, Jr.
Committee on Federal and State Affairs
Room 255-E, Statehouse
Topeka, Kansas 66612

RE: H.B. 2380, Open Records Act Amendment, Archeological Site
Location Information

Senator Reilly and Members of the Committee:

I am Tom Witty. I wish to provide the following testimony in support of the adoption of an amendment to the Open Records Act (K.S.A. 1988 Supp. 45-221, Line 184) to control public access to information concerning the precise locations of archeological sites in this state. In doing so I represent the Kansas State Historical Society, the Kansas Antiquity Commission (K.S.A. 74-5402) as well as myself as State Archeologist.

An archeological site is a place where evidence of past human activity has been identified and has the potential for providing information about early lifeways. Under the existing Open Records Act, the public has access to information on the location of recorded archeological sites in the files principally at the Kansas State Historical Society and the major universities. Such access would allow relic hunters, collectors and vandals to readily visit these sites and remove important artifacts and potentially destroy subsurface features by random

RAMON POWERS, Executive Director
RUTH A. SHERRER, Associate Executive Director
TERRY MARMET, Director of Facilities Planning
MARK A. HUNT, Director of Museums and Historic Properties
PATRICIA A. MICHAELIS, Curator of Manuscripts
RICHARD D. PANKRATZ, Director Historic Preservation Dept.

PORTIA ALLBERT, Library Director
EUGENE D. DECKER, State Archivist
THOMAS A. WITTY, State Archeologist
MARILYN HOLT, Director of Publications
LARRY JOCHIMS, Research Historian
JENNIE CHINN, Folklorist
RON PARKS, Public Relations Director

SFOSA
3-28-89

Attachment 1

Page Two

excavation. The majority of these known sites are on private property and many have been reported to us by sincere amateurs interested in site preservation and the sharing of knowledge. The landowners and informants in allowing us to make these records do expect confidentiality.

The archeological site records are maintained principally as paper files although the creation of electronic files is underway. The Archeology Department of the Society is the principal depository for all the agencies in the state and currently has over 7,000 sites recorded. Files also exist at the University of Kansas, Kansas State University and Wichita State University. There are also master map sets, one by county and another on U.S. Geological Survey quadrangle maps upon which the location of every site is plotted. The primary document is the archeological site form (example attached) which along with other information does provide the legal description, owners name, a map and in some cases instructions for approach to the site. It is that specific information which needs to be controlled.

The recorded sites in the site files deal with both the Native American and Euro- or Afro-American cultures in Kansas. This spans a time range possibly as early as 12,000 B.C. to the early twentieth century. The kinds of sites included may be camps, villages, quarries, kill sites, burials, petroglyphs, forts, trading posts, towns, etc.

The sources of that information reflect a variety of activities. These include federal and state funded survey work on proposed water projects, highways, etc., specific institutional research and reports by amateurs and private citizens. The majority of those recorded sites are on private property.

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I wish to emphasize that it is the precise location description that we are concerned with. The other information concerning culture, age, and artifacts would still be open. The location information would remain available to those on a need to know basis. This would include landowners, bonafide researchers, consultants working on government projects, governmental agencies and in some cases planning developers.

Our concern in reality has been more one of potential than actual problem. We have perhaps three to four individuals a year coming in and a like number of letters asking for this information. When questioned we find usually the individual doesn't really need the location but is seeking the number of sites, or the ages and the identification of cultures represented. This we have been and will still continue to provide.

In summary, there are three reasons why we wish this information restricted. The first is the scientific integrity of the site by the prevention of loss of important artifacts and information; two, there is the need to protect the privacy and property of the landowner from encroachment by others; three, the amateur archeologist usually has a very proprietary interest in the sites which he has reported to us. In many cases they have maintained records and cataloged their collections, thus maintaining the scientific integrity of the material and the site. For us to allow this information to be indiscriminately circulated violates a trust and could destroy years of established rapport.

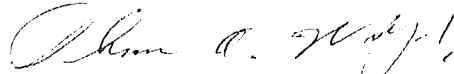
Prior to passage of the Open Records Act such archeological site location information was considered by us to be privileged. The act removed the control and it has concerned us greatly. While we have yet to encounter an instance of misuse of the

Page Four

information the potential does exist. It is on the basis of that concern that we urge the passage of this bill.

Thank you for your consideration.

Sincerely yours,



Thomas A. Witty, Jr.
State Archeologist

TAW:dlb
Attachment



KANSAS STATE HISTORICAL SOCIETY

ARCHEOLOGICAL SITE FORM

County Chautauqua Project Primary Road

Site No. 14CT347 166-10-F-010-1 (34)

1. Map reference USGS Peru

2. Type of site Lithic scatter; agricultural settlement

3. Cultural affiliation Unknown (aceramic) prehistoric; historic Euro-American

★ 4. Location NE¹/₄/NW¹/₄/NW¹/₄ and NE¹/₄/NE¹/₄/NW¹/₄ Sec. 20 T 34S R 12E

5. Local geologic system Pennsylvanian

6. Physiographic province Chautauqua Hills (Schoewe)

7. Natural vegetational community Floodplain Forest, Tall Grass Prairie, Cross Timbers

8. Major drainage Little Caney River 9. Tributary Bear Creek Mosaic

★ 10. Owner Robert Powers 11. Tenant _____
Peru, Ks.

12. Informants None

13. Previous designation for site None

14. Site description Site consists of a historic farmstead including standing dwelling and barn and an underlying prehistoric site evidenced by a lithic scatter exposed in a farm road.

15. Area of site observed limits 1 to 1 1/2 hectare, may be larger

16. Discussion of soil Stephenville-Darnell fine sandy loam

17. Present condition Site is located in pasture. Historic component is well preserved, prehistoric component has certainly been impacted by historic component but may be

18. Previous excavations None well preserved overall.

19. Material collected 2 cortical flakes; 11 secondary flakes, some probably utilized, one biface

20. Material retained by KSHS

21. Material observed lithic debitage and historic artifacts (glass and ceramics primarily)

22. Previous material reported and owner None

23. Photograph numbers 1 black and white photograph

Recorded by William B. Lees Date March 4, 1985



Scale 1:24,000

24. UTM

14	755825	4107660
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 -SR
 Zone Easting Northing
25. Longitude _____ West Latitude _____ North
 degrees min. sec. degrees min. sec.
- ★ 26. Elevation 800 feet (meters) How determined? USGS
27. Approach to site From Peru proceed west about 1 1/4 miles on county road to bridge across Bear Creek. Site is on bluff to southeast of the bridge.
28. Recommendations for further work Test
29. Remarks Site received extensive excavation in September and October 1986. Site area destroyed by realignment of US166 later.

MEMORANDUM

March 24, 1989

To: Members of the Senate
Re: Corrections Options Available to the Kansas Legislature

Issues to be Addressed

1. Number of beds needed in order to meet judge's mandate by July, 1991.
2. Shortest timeframe in which to accomplish a reduction in population pressures and achieve single-celling.
3. Achieving our goals at the least possible investment to Kansas.

Options Available -- Maximum
Security Inmate Placement

1. Conversion of KSIR (Hutchinson) and KSP (Lansing) immediately to maximum security institutions. Remove all medium custody inmates from the KSIR and KSP facilities. Doing this would achieve 659 maximum security beds with the conversions of cellhouses to maximum security.

Mediums now housed	KSP	605
	KSIR	<u>437</u>
TOTAL		1,042

2. Hutchinson and Lansing currently have existing space adjacent to those institutions for medium security beds to be added on. Hutchinson is manufacturing units and the new medium security prison at Lansing was constructed to add two pods which would house 192 medium security inmates (96 inmates per pod). Continue constructing units at Hutchinson to provide space on existing grounds adjacent to KSIR for medium/minimum custody inmates.
3. Amount of vacant state ground available and adjacent to existing institutions:

SF&SA
3-28-89

Attachment 2

	<u>Total Acres</u>	<u>Used for Facility</u>	<u>Leased for Farmland</u>
KSP	2,546	985	1,561
KSIR	382	182	200

4. Immediately authorize and proceed to appeal the U.S. Federal Judge's order with regard to not allowing double celling and the closing of Dorm 2 at Lansing, which currently houses 150 inmates. Currently, there are 197 double cells at KSIR and 406 double cells at KSP. Modify existing A&T building which would house up to 101 inmates for maximum security use inside KSP.
5. Provide for Larned expansion for mental unit of 256 beds.
6. Retain KRDC (Topeka) as the state's reception and diagnostic center close to Menninger Foundation and support services.
7. Continue emphasizing options for first-time offenders to remain at the community level. Need for additional Community Residential Center (CRC) somewhere in northeast Kansas.
8. Sentencing Commission.
9. Community Corrections expansion.
10. Appoint a special interim committee to insure a sound master plan is developed regarding the future of the Kansas correctional system. None is currently in existence.

Discussions that have taken place regarding the prison population problems nationwide indicate that the construction of a new facility with a large annual operating cost will achieve little in view of the consistent pattern that, "once built they are immediately filled and you cannot build yourself out of this dilemma." This would indicate that innovative and prudent steps must be taken to work with existing facilities and programs that can be put on line quickly (not within years) to reduce tensions in existing institutions and to do so at the least possible cost.

We would not dismiss the option of a private institution being developed, as suggested by investors from Horton, Kansas, as a supplement to already existing state institutions. This could undoubtedly be done quickly and at less cost by private enterprise and investors. This would require a partnership between the state and the developers and may very well be a wise and fruitful partnership.

Our state cannot justify, nor does it have unlimited resources in view of the current economic problems from the drought, resulting in a billion dollar estimated loss to Kansas, to embark on a massive expenditure of funds for corrections when our educational and social programs have great needs.

March 24, 1989

Note: In order to provide for medium security prisoners displaced by modification of cells at KSP and KSIR to maximum security, the following options are possible and achievable:

- 1) At the Norton facility each single cell has 110 square feet and currently there are 232 cells.

(Note: 80 to 95 square feet is acceptable by the U.S. Bureau of Prisons for 2 man celling.)

PROPOSAL: Add 232 men by double celling at Norton for a total of 464 inmates.

- 2) Hutchinson Correctional Work Facility currently serves a population of 400, but can handle 600.

PROPOSAL: Programs would need to be modified for an addition of 200 more new medium security cells.

- 3) KSP Medium Security Unit could be modified to house an additional 192 new beds by expanding the institution.

PROPOSAL: Add 2 pods to the existing institution where each pod could handle 96 inmates. Thus, an additional 192 new beds would be created.

<u>TOTAL</u> Proposed New Medium Security Beds:	KSP	192
	KSIR	200
	Norton	<u>232</u>
	TOTAL	642

In God We Trust

Editorials

Minimum wage, major concern

Kansas newspapers had differing views of the proposal to increase the minimum wage. They also discussed prisons, savings and paid tribute to Charles S. Scott Sr. Here is what they said in recent editorials.

Let employees survive

"The arguments being passed back and forth about a proposed hike in the nation's minimum wage seem to be getting as confusing as the smoke screen thrown up around the Oliver North trial.

"While the Iran-Contra trial disagreements are somewhat understandable because they involve matters of national security, the arguments against raising the minimum wage are mostly so much tripe.

"What has been lost in all the discussion is just who would be affected by an increase in the minimum wage. Most people would say it would apply to teenagers with part-time jobs trying to earn some pocket change or to retired persons looking to supplement monthly pensions or Social Security checks.

"The reality is that many of the Americans who earn a minimum wage (currently \$3.35 an hour) are adults with young children and all the bills related to supporting a family. ...

"Keeping the minimum wage low is supposed to help businesses maintain employment levels. But it also forces government to spend more money on social services. ...

"Congress should adopt the new minimum wage, drop the training wage and make it all effective this year — not wait until 1991 as has been discussed.

"In his campaign, President Bush asked for a kinder, gentler nation. This would be one way in which to accomplish that goal."

— Dodge City Daily Globe

lies. People may have to retrain themselves to consider minor medical expenses as things they must pay for themselves; that health insurance is there to cover the big expenses.

"The cost of insurance must be lowered if private industry is to foot the bill of health insurance. The expectations of the public must be lowered if government health care is the answer. ..."

— Wilson County Citizen

Prison problems

"...Last month Judge Richard Rogers gave the state an ultimatum to eliminate overcrowding in the existing prisons by July 1, 1991, or he would do it for us by releasing prisoners.

"The problem with merely building a new prison, however, is that it doesn't reach the cause, which is simply the fact that we have lengthened sentencing laws to the point that we're taking more prisoners into the system each year than we let out.

"Solutions other than building new prisons each year need to be looked at. Simply by reviewing sentencing laws and creating alternative penalties for non-violent criminals might eliminate the problem, or it may be considerably cheaper to expand community corrections programs.

"Those issues — it seems — should be thoroughly addressed before we simply throw more money at the problem in just another Band-Aid solution."

— McPherson Sentinel

Saving ourselves

"Americans don't seem to put much stock in savings these days.

"As a nation, we used to put money aside to prepare for major expenses and as a nest egg for emergencies. That tradition ..."

Prisoners may be released early

By JOHN HANNA
Associated Press writer

The director of the state's prison system is warning that next year Kansas may have to release prisoners early if the Legislature does not change sentencing laws or expand community corrections programs.

Corrections Secretary Roger Endell complains that his proposal to build a new prison gets far more attention than his support for sentencing reforms or expansion of community corrections.

Yet, he says, he will have to ask the Kansas Parole Board to release some inmates before their time or request that judges and Gov. Mike Hayden commute their sentences by February if the state does not take steps to decrease the gap between the number of inmates being released and the number entering prison each month.

The Legislature won't change that situation if it accepts his plan to

build a \$58.7 million, 768-bed prison, because the prison will not open until July 1, 1991, he says.

When asked whether he was simply giving a gloom-and-doom forecast, Endell was good-natured but adamant in his reply.

"I want you to write it down," he said. "I'd be willing to put money on it unless somebody does something about the net increase. That's fact. That's absolute fact."

U.S. District Judge Richard Rogers of Topeka ordered the state last month to reduce its population at three large prisons and to eliminate all overcrowding. He also in effect set a limit on the population for the states' prisons.

At the end of the year, with the completion of all projects approved in past sessions of the Legislature, the state's prisons will have a designated operating capacity of 5,080 inmates. Rogers' order will allow 5,699 inmates to be housed in those buildings at the end of the year.

Senate minority leader criticizes governor

By MATT TRUPELL
Associated Press writer

Top C-J 5-18-89

Senate Minority Leader Michael Johnston, D-Parsons, criticized Gov. Mike Hayden Friday for what he called a lack of leadership on major issues.

"It is no wonder that things are moving through the Legislature so slowly, considering the lack of direction from the administration," Johnston told a news conference following a brief Senate session.

"For example, we have only scratched the surface in addressing our prison needs and have yet to deal with the question of building a new prison," Johnston said. "We keep getting different prison plans with varying levels of support from the governor."

He also was critical of Hayden for withholding support for any type of comprehensive highway plan. The House Friday passed a \$1.3 billion highway plan, greatly scaled down from a proposal developed by an interim committee in the fall. Hayden said earlier he would not endorse a

specific plan because it would politicize any proposal to improve the state's highways.

But Johnston said a highway program is too important an issue for the governor to remain aloof.

"That's really a sad commentary on leadership," the senator said.

Johnston is considering seeking the Democratic nomination for governor in 1990, although he has not announced his candidacy.

Hayden responded that Johnston's criticism is politically motivated since the senator is considering a bid for governor.

"His remarks today don't come as any surprise," Hayden said at his first Statehouse news conference since Jan. 25.

"I expect to work closely with legislative leaders in fashioning a comprehensive (highway) plan," the governor added. "We'll put pressure on the Legislature to keep their shoulder to the wheel."

Johnston said Hayden's approach toward governing Kansas is different this session.

"He clearly has adopted a different style this

year that raises legitimate questions about his leadership," he said.

He said the Legislature has received mixed signals from the governor on prison construction proposals.

Last year, Corrections Secretary Roger Endell proposed building two new prisons with a total of 1,200 beds at a cost of \$62 million.

"The governor distanced himself from that plan, saying that it was Secretary Endell's plan," Johnston said.

Last September, Endell proposed two new prisons totaling 1,500 beds at a cost of \$107.8 million.

"The governor expressed lukewarm support for this plan," Johnston said.

Hayden finally endorsed this session the construction of a 750-bed prison at El Dorado for \$55.3 million, the senator noted.

"After including this recommendation in his budget message to the Legislature, the governor not only failed to promote his plan, but has remained virtually silent on this issue since then," Johnston said.

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Penal officials outline plan to build prison, mental unit

By ROGER MYERS

Capital-Journal Statehouse writer

State corrections officials unveiled a revised plan Thursday to build a new maximum-security prison and a facility for mentally ill prisoners that would cost a total of \$73.2 million and house 1,024 inmates.

The plan calls for construction of a prison for 768 inmates at an estimated cost of \$58.7 million. It would be built on an isolated ridge about 1 1/4 miles east of El Dorado in Butler County. Bow tie-shaped units could be built later to increase the prison's total capacity to 1,408 beds, authorities said.

The proposal also provides for building a separate mental health unit for 256 inmates at an estimated cost of \$14.5 million on the grounds of the State Security Hospital at Larned.

The total cost of the package would decrease by \$3 million to \$3.5 million if the mental health unit was built on the same site as the prison.

The revised plan for dealing with the state's prison overcrowding problem was presented to the Joint Committee on State Building Construction, which must give its approval before the Legislature will consider financing the proposal.

The plan would cost \$17.9 million more than a proposal originally contained in Gov. Mike Hayden's budget. Hayden had proposed only the construction of \$55.3 million, 800-bed prison.

The architects and consultants who briefed the committee Thursday said the prison and mental health unit could be ready by July 1991, the deadline a federal judge has set for Kansas to eliminate prison overcrowding, but only if work begins immediately.

Bill Livingston, of Johnson and Livingston Associates in Wichita, which helped design the proposed facilities, acknowledged the construction schedule is extremely ambitious, but said it is achievable even if the Legislature decides to locate either facility at other sites.

He said construction should start on the above ground portion of both facilities in February 1990.

After the presentation, Sen. Joe Harder, R-Moundridge, committee chairman, said he wanted time to review the proposal, which the panel saw for the first time Thursday.

He did not immediately schedule another meeting of the committee, but said it could meet next week to discuss the plan.

In response to questions from Roger Endell, the state corrections

secretary, Harder said he was not ready to vote for release of \$2.9 million in final planning money that the Senate Ways and Means Committee has removed from the Department of Corrections' capital improvements supplemental appropriations bill.

Endell said restoration of the final planning money was needed immediately if the design team is to be kept at work on the project. He said his agency has no planning money left.

Harder said he is confident the Legislature will act on the \$2.9 million before its scheduled first adjournment in April.

Rep. Phil Kline, R-Overland Park, vice chairman of the committee and a consulting engineer, said he also wants time to study the new proposal before reconvening the panel.

Harder said he was concerned about whether builders could meet the construction schedule, and Kline said he was concerned about the ability of the state to get enough mental health specialists to staff a facility in sparsely settled Kansas around Larned.

Endell said he had been assured by Winston Barton, secretary of the Department of Social and Rehabilitation Services, that staffing of the mental health unit would not be a problem.

3-24-89

Guards quell inmate strike at new Hutch facility

Hurst Laviana
i Dave Hendrick
ii Writers

HUTCHINSON — A work stoppage by inmates shut down operations at the state's newest prison Thursday, before correctional officials used batons and shotguns to end the uprising with a show of force. For four tense hours Thursday afternoon, prison counselors and

inmates at the Hutchinson Correctional Work Facility negotiated over several inmate demands. Those included better work assignments, improved medical care and access to personal items, such as tennis shoes, ice chests and chewing tobacco.

Prison officials broke off negotiations at 4 p.m., and ended the uprising an hour later, when 100 armed corrections officers sur-

rounded the inmates' dormitories and ordered the men outside.

All 350 inmates involved in the work stoppage surrendered and were handcuffed without resistance. At least 63 of the inmates were transferred to the maximum-security Kansas State Industrial Reformatory, about a mile from the work facility.

Les Harmon, associate director at KSIR, acted as a spokesman for

the prison. He said the inmates walked off their jobs shortly after noon in a move sparked by a confrontation between a guard and an inmate. The inmate, who allegedly struck the guard with his fist, was placed in an isolation cell.

Most of the other 400 inmates at the facility — now the third largest in Kansas — returned to their dormitories and prepared a list of demands. The list included a de-

mand that the isolated inmate be released. Inmates also asked for full-time access to a doctor and the right to own personal items that are routinely sold in the other prisons around the state.

"Ice chests, tennis shoes, sweat pants, hot pots — those seem to be the principal items," Harmon said.

The hot pots, which inmates use

● INMATES, 5D, Col. 1

● INMATES, from 1D

to heat coffee in their cells, are not available at KSIR, but are allowed at the Kansas State Penitentiary at Lansing. Although prison officials said they ended the disturbance without promising to meet any demands, they said many of the demands would be taken care of as prison officials work out rules and regulations at the new facility.

Don Thomas, an administrative officer at the prison, said 40 unarmed guards were on duty when the work stoppage began, but none were injured. He said work stoppages were not uncommon in prisons.

"It's not an unusual event," he said. "It's one mechanism inmates have to bring forth their grievances and concerns Crowding

is not the issue here. It's basically a question of rights."

The new \$8 million facility was hastily built and filled to capacity as part of Kansas' efforts to ease crowding at the state's two largest prisons — the reformatory and the penitentiary.

The 36-acre Hutchinson Correctional Work Facility is surrounded by a 20-foot fence and includes two 200-bed dormitories. Eventually, the state will build seven factories inside the fence for inmate work on restoring cars, making furniture and sewing clothing. Thomas said many of the inmates now are helping to build the factories.

The 320 medium-security and 80 minimum-security inmates are paid 75 cents to \$1.05 a day, depending on the level of their skills. The prison opened Jan. 23, and

was filled to capacity March 14.

Harmon said one of the inmates' demands — round-the-clock access to a doctor to respond to emergency calls — was already in the planning stages.

About half of the inmates at the new facility came from the penitentiary, a prison that allows inmates to purchase sweat suits, chewing tobacco and electric stoves, Harmon said. But he said that such items were banned at the reformatory, partly because of a lack of storage space.

Thomas said the confrontation between the inmate and the guard stemmed from a Wednesday night incident that ended with the guard writing disciplinary reports on two inmates. The guard was investigating the disappearance of \$800 worth of items from a store that sells personal items to inmates.

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KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Room 545-N - Statehouse

Phone 296-3181

March 24, 1989

TO: Senator Edward Reilly

Office No. 255-E

RE: Single Cells Available at Kansas State Penitentiary and
Kansas State Industrial Reformatory if Converted
to Maximum Custody Use; Based on Assumptions
You Directed

Kansas State Penitentiary

<u>Unit</u>	<u>One-Inmate Cells</u>	<u>Now Used for Maximum</u>
A Cellhouse	222	222
B Cellhouse	270	270
C Cellhouse	144	96
C 3-Man Cells ¹	64	--
D Cellhouse ²	140	--
A&T ⁴	101	--
TOTAL	941	588
New Maximum Cells		353

Kansas State Industrial Reformatory

A Cellhouse	198	50
B Cellhouse	200	200
C Cellhouse	200	200
D 3-Man Cell ⁴	158	--
TOTAL	756	450
New Maximum Cells		306
GRAND TOTAL		659

- 1) Would require renovation for 64 cells.
- 2) Would require plumbing and renovation.
- 3) Court order forbids use as inmate housing after July 1, 1991.
- 4) Would require renovation for 158 cells.

I hope this information is useful to you.

J. Russell Mills
Fiscal Analyst

JRM/pb

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Room 545-N – Statehouse

Phone 296-3181

March 20, 1989

TO: Senator Edward Reilly

Office No. 255-E

RE: Corrections Issues -- I

You have inquired about a number of issues concerning the Department of Corrections (DOC) and related information and data. I will attempt to respond to each point as the information is gathered and becomes available.

1. End-of-Month Inmate Population. The enclosed table indicates the end-of-month inmate population count at each DOC facility for the period of July, 1984 to February, 1989.

2. Carter Goble Population Projections. The consulting firm of Carter Goble Associates, Inc. presented a document entitled "Review of KDOC Inmate Forecast and Determination of Bedspace Expansion Need by Security Classification," dated September 19, 1988. Enclosed is a copy of Table 5 of this report, which projects year-end populations for FY 1990 and FY 1992, and pages 13-15 of the associated narrative. The narrative indicates that a range of 556 to 696 new maximum security beds will be needed by 1992. The narrative (p. 14) also indicates that KSP has 659 beds designated as maximum security which should not be used for maximum security inmates. Removal of these beds at KSP will result in the need for from 1,215 to 1,355 new maximum security beds by 1992.

3. Maximum Security Capacity. By way of comparison, I am enclosing: (a) the appropriate pages of a 1986 DOC report indicating rated optimum capacities at the various facilities; (b) the operating capacity at DOC facilities as decreed in Judge Roger's order (Attachment A); and (c) a capacity-population analysis, by security designation, which was presented by the Department of Corrections on February 6, 1989. The capacity of the medium security unit at KSP is rated at 288 inmates in all three documents. The DOC information dated February 3, 1989 indicates that the A and T unit at KSP has 101 one-inmate cells and 6 three-inmate cells. The capacity of the E Dormitory at KSIR is listed at 50 temporary beds.

4. Double-Celling at Kansas Facilities. Information supplied by KDOC indicates the following current practices regarding double-celling as of March 17, 1989.

Kansas Correctional Institution at Lansing -- no double celling

Kansas State Industrial Reformatory:

- of the 678 cells in cellhouses A, B, C, and D, 197 cells are double-celled (two inmates in one-man cells and six inmates in three-man cells)

- E Dormitory (rated at 50) currently houses 56 inmates
- Minimum Security Unit houses 160 inmates, which is at operating capacity

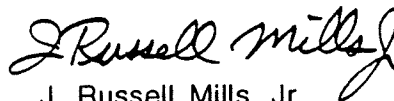
Kansas State Penitentiary:

- of the 808 cells inside the walls, 210 are double-celled. The 808 cells include 222 cells in A Cellhouse currently vacant because of the renovation project
- of the 288 cells in the Medium Security Unit, 196 are double-celled (units K, L, and M)
- Q Dormitory (rated at 150 minimum security) is at 189 inmates
- outside dormitory No. 2 (R and S units rated at 150) are currently at 215 inmates
- A and T Unit is single-celled

5. Appeal of District Court Decision. There has been some discussion of appealing the district court ruling regarding the corrections system. It is my understanding that the issue is still under consideration by the Legislative Coordinating Council at this time. Attorney General Stephan presented a statement largely in opposition to such an appeal to the LCC on February 23, 1989. A copy of his statement is included for your review.

6. Proposed El Dorado Site. The proposed site for the new prison which was recommended by Secretary Endell, known as the "Valley View site," is east of El Dorado. The site contains approximately 615 acres, of which 80 acres would be used for the actual construction of the facility. The city of El Dorado, with a population of about 12,000, is approximately one mile west of the proposed site, and the El Dorado airport is about two miles south of the site. U.S. 54 Highway runs along the northern edge of the site. The city of El Dorado and Butler County entered into an Interlocal Cooperation Agreement in December, 1988, to acquire the site, to create a special benefit district to improve the site, to issue bonds for improvements, and to lease the site to the Secretary of Corrections upon mutually agreed terms. The resolution authorizing the interlocal agreement commits Butler County to not more than \$560,000 for the development of an appropriate site.

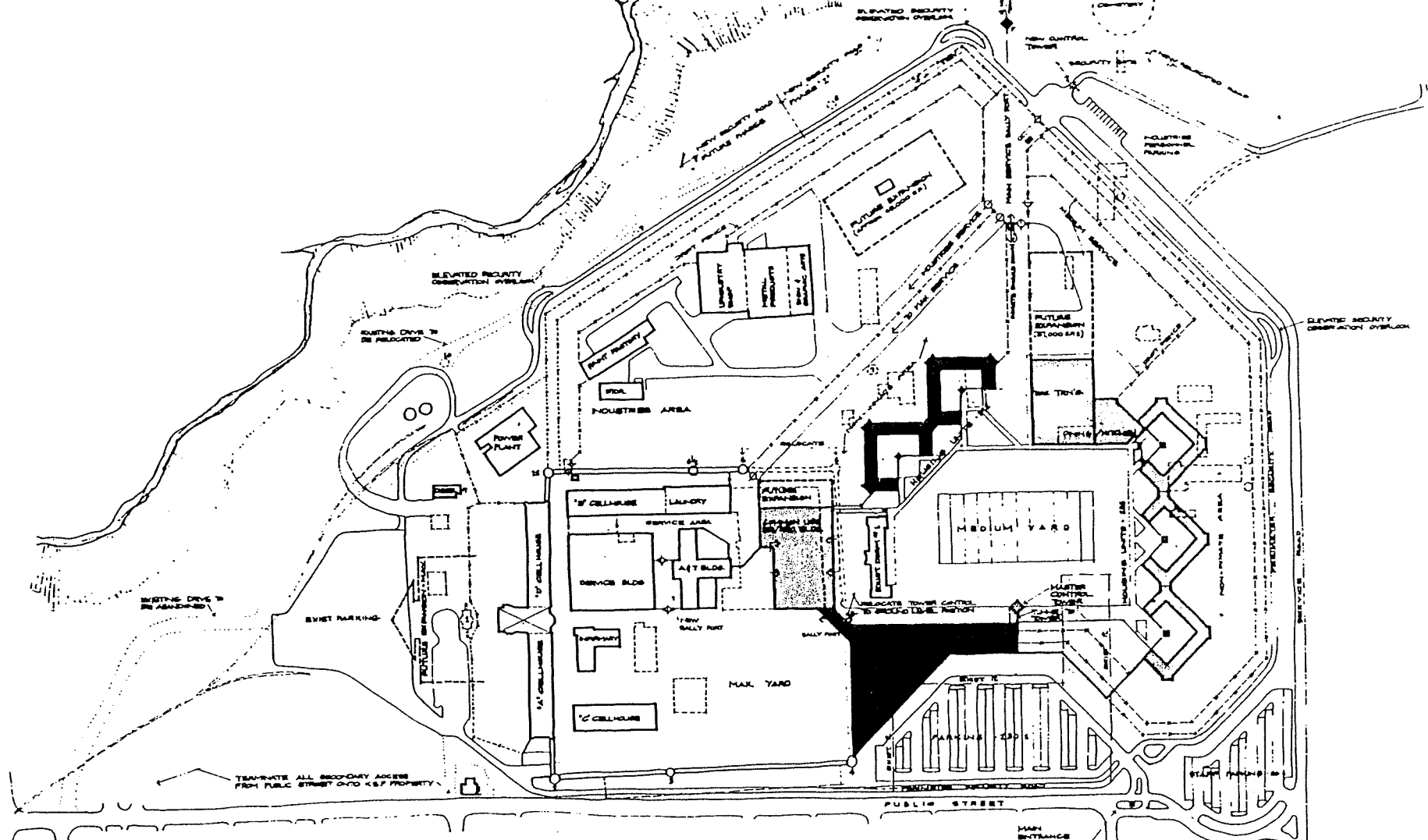
I will supply the further information you requested as soon as possible.



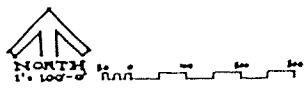
J. Russell Mills, Jr.
Fiscal Analyst

JRM/sls

Enclosures



- SYMBOLS**
- INDICATES EXISTING SECURITY FENCE TO BE REMOVED
 - INDICATES EXISTING SECURITY FENCE TO REMAIN
 - - - - - INDICATES NEW SECURITY FENCE
 - ⊕ INDICATES SECURITY GATE
 - ⊗ INDICATES EXISTING STRUCTURE TO BE REMOVED
 - ▭ INDICATES EXISTING STRUCTURE TO REMAIN
 - ▭ (with dashed border) INDICATES PROPOSED STRUCTURE - PHASE "1"
 - ▭ (with dotted border) INDICATES PROPOSED BUILDING EXPANSION
 - ▭ (with solid black fill) INDICATES PROPOSED STRUCTURE - FUTURE PHASE
 - ▭ (with stippled fill) INDICATES EXISTING BUILDING TO BE RENOVATED



SCHEMATIC SITE PLAN • development masterplan
KANSAS STATE PENITENTIARY **LANSING, KANSAS**

2-12

October 12, 1981

PRELIMINARY BUDGET FOR
DORMITORY - 96 BEDS
Medium Security Facility (First Phase)
Kansas State Penitentiary
Lansing, Kansas

Costs based on June, 1982 Bidding. Any variance from this schedule will change the costs at the rate of 12% per year.

(Based on Floor Plan dated October 6, 1981.)

BUILDING CONSTRUCTION	\$1,586,700
Base Price 24,681 SF at \$55.90 ..	\$1,379,700
Security at 15%	207,000
SITWORK	\$ 37,000
Grading	\$ 6,000
Walks, Terraces, etc	13,000
Retaining Walls, etc	16,000
Utility Connections	2,000
BIDDING CONTINGENCY (5% x \$1,623,700)	<u>\$ 81,300</u>
TOTAL ESTIMATED COST	<u>\$1,705,000</u>
x 3	<u><u>\$5,115,000</u></u>