

Approved February 13, 1989
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS

The meeting was called to order by SENATOR AUGUST "GUS" BOGINA at
Chairperson

11:10 a.m. on FEBRUARY 7, 1989 in room 123-S of the Capitol.

All members were present except:

All members present

Committee staff present:

Research Department: Diane Duffy, Russ Mills

Revisor: Norman Furse

Committee Staff: Judy Bromich, Pam Parker

Conferees appearing before the committee:

Senator Harder moved, Senator Allen seconded, the approval of minutes from the January 12, 17, 23, 24, 25, 26, 30, 31, and February 1, 1989 meetings. The motion carried.

Senator Lana Oleen appeared to express support for bill draft 9 RS 0836 being considered for introduction by the Committee. She noted that she was aware that this proposal was not included in the Governor's budget recommendation but she would like to see the Committee make inquiries from the Kansas Association of Public Employees (KAPE) in the hearing process to inquire about their priorities on this program.

Senator Doyen moved, Senator Salisbury seconded, to introduce bill draft 9 RS 0364, an act concerning reimbursement by the department of social and rehabilitation services for certain drugs; prohibiting the use of certain restrictive drug formularies; and bill draft 9 RS 0836, an act concerning state officers and employees; relating to salaries and compensation and providing for the payment of longevity pay. The motion carried.

An overview of the Department of Corrections was presented by the Secretary, Roger Endell. (Attachments 1 and 2) Mr. Endell stated they expect to have the final planning and schematic drawings for a new multi-security facility approved last year ready by February 23rd for a presentation to the Governor, the Joint Committee on State Building Construction and anyone else interested in the presentation.

In answer to questions, Mr. Endell stated that on page two, in the table regarding Capacity - Population Analysis by Security Designation of Bedspace, the total figures for the institutions represent the legitimate operating capacity of the institution, meaning they would meet all of the standards established by courts and the American Correctional Association (ACA) base standards per inmate. It is his understanding that the federal courts will use the ACA standards for space for high security institutions as the standards that the state of Kansas will have to meet. His understanding comes from conversations and pressure by the plaintiff's attorneys. He stated that they have two inmates in 40 square foot cells primarily at KSP and KSIR who are held in those cells for far too lengthy periods without movement outside the cells and without adequate programming.

The Chairman announced that staff will provide Committee members copies of the Department's monthly inmate population charts.

Mr. Endell stated that the crime rate is apparently remaining stable; however, incarceration rates have gone up dramatically. In FY 1983 the average length of stay in correctional facilities was 16 months. By contrast, in FY 1988 the average length of stay was 25 months and through December, 1988 it was 28 months. His conclusion is that not only are there more prisoners coming into the system than ever before, but staying much

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS,
room 123-S, Statehouse, at 11:10 a.m./~~XX~~ on FEBRUARY 7, 1989

longer. He also noted that the prisoner profile has changed over the same period of time indicating more violent offenders.

According to Mr. Endell, the Department's greatest housing needs are for the most serious offenders. He reported that 256 beds will be developed for mental health offenders, 256 beds for high, maximum security overflow, and 128 diagnostic beds to be relocated at the new facility to eliminate any duplication of services, there will be 164 beds for minimum custody inmates to be placed outside the proposed institution.

In answer to questions, Mr. Endell stated that "crash funds" to provide needed programs for parole eligibility would be extremely helpful and greatly appreciated, but it should not be overlooked that space needs would have to be addressed at a part of program availability.

Following further discussion with questions and answers, the meeting was adjourned.

KANSAS DEPARTMENT OF CORRECTIONS STATUS REPORT

2/6/89

On February 3, 1989, a total of 6,071 people, 5,780 men, and 291 women, were being held in the custody of the Kansas Department of Corrections.

On February 3, 1989, the 17 operational facilities in the Kansas Department of Corrections, had a total operating capacity of 4,473 beds. The incarcerated population that date totalled 5,713, or 1,240 above operating capacity.

KDOC is under Federal Court Order to limit the population at the Kansas State Penitentiary to no more than 1,871 inmates. The population at KSP on February 3, 1989, was 1,866. The operating capacity at the Penitentiary, is 1,412.

KDOC is under Federal Court Order to limit the population at the Kansas State Industrial Reformatory to no more than 1,303 inmates by April 1, 1989. On February 3, 1989, the population at KSIR was 1,575. The operating capacity at the Reformatory is 847.

New minimum and medium security beds continue to come on line at four sites, and will allow the Department to comply with the population reductions which have been ordered at KSIR.

- 1) Hutchinson Correctional Work Facility - On February 3, 1989, 180 inmates were being held at HCWF. An additional 220 inmates, for a total of 400, are expected to be housed at HCWF by March 1, 1989.
- 2) Ellsworth Correctional Facility - Currently, 300 inmates are being housed, and working, at ECF. When this facility is complete between July and September of 1989, it will house an additional 200 inmates.
- 3) Norton Correctional Facility - Currently, 240 inmates are living, and working, at NCF. When this facility is complete between July and September of 1989, it will house a total of 500 inmates.
- 4) Stockton Correctional Facility - Ribbon cutting ceremonies at SCF were held on January 30, 1989. A total of 94 minimum security inmates are currently being held at SCF.

2/6/89

In late summer of 1988, a private contractor began providing community custody beds at Community Residential Centers in Topeka and El Dorado. The 100 bed facility in Butler County will soon be moved into downtown Wichita. The other 100 bed facility will remain at Forbes Field. Another private contractor is currently attempting to find a suitable location for another 200 community custody beds in the Johnson/Wyandotte/Leavenworth County area. If that effort is unsuccessful, those beds will be added to the Topeka and Wichita centers.

KDOC is also working with officials from Labette and Meade Counties to develop two Community Corrections Conservation Camps. These camps will provide an alternative to probation, or traditional incarceration, with a capacity of 100 beds each.

The appropriations for the above mentioned projects totaled approximately \$28 million, approved by the 1988 Legislature.

Lawmakers also last year approved a \$750,000 appropriation for planning of a new multi-security facility. The programming study is complete, and the schematic design is nearing completion. A \$2.9 million supplemental appropriation for planning money has been approved by the House Ways and Means Committee.

The study has identified the need for an additional 1,400 maximum and medium security beds, to reduce the populations at KSP and KSIR to their operating capacities, and keep pace with an anticipated annual population growth of 400 inmates per year. The inmate population fluctuated during the last six months of 1988, but increase by 125 inmates in January of 1989, the largest monthly increase during the 1980's.

2/6/89

KDOC has outlined three options for new multi-security institutional space.

Option 1 -

Construction of one (1) fully operational 800 bed institution which would be designed and built for expansion up to 1,400 beds. Total initial capital cost estimated at \$55 million. This facility will be full upon opening, and would need to be expanded immediately.

Option 2 -

Construction of one (1) fully operational 1,400 bed institution at a total initial capital cost estimated at \$68 million. This facility will be full at opening, or shortly after, if present population trends continue.

Option 3 -

Construction of two (2) fully operational 800 bed institutions, each designed and expandable up to 1,400 beds. Total initial capital cost estimated at approximately \$98 million. These facilities will permit the greatest potential for expansion and would therefore keep the State out of jeopardy of additional Federal Court intervention.

STATE OF KANSAS




DEPARTMENT OF CORRECTIONS
OFFICE OF THE SECRETARY
Landon State Office Building
900 S.W. Jackson—Suite 400-N
Topeka, Kansas 66612-1284
(913) 296-3317

Mike Hayden
Governor

Roger V. Endell
Secretary

February 7, 1989

TO: Kansas Legislators
FROM:  Roger V. Endell, Secretary of Corrections
SUBJECT: Department of Corrections' Population Trends

The attached inmate population and facility information is provided to enable a better evaluation of Department policies and requests.

Further information and explanations are available by contacting me or Tom Sloan, my Special Assistant.

RVE:dja
Enclosures

ATTACHMENT 2
SWAM 2-7-89

DEPARTMENT OF CORRECTIONS

POPULATION - CAPACITY ANALYSIS

**KDOC
FEB. 7, 1989**

CAPACITY-POPULATION SUMMARY

- Upon completion of all currently authorized expansion projects, the facility operating capacity will total 5,255 inmates: 1,269 maximum/special management, 1,705 medium, 2,281 minimum.
- Until the current expansion projects are completed, 4,721 beds are available at operating capacity.
- Operating capacity has been determined by applying standards adopted by ACA (American Correctional Association), court guidelines and commonly recognized professional population management principles.
- An additional 597 placements are authorized in non-DOC facilities - Community Residential Centers, Larned State Hospital and in the county jail program.
- The facilities contain 284 special use and infirmary use beds and 179 temporary beds which are in addition to, and not part of, the specified operating capacity counts. These beds are not counted due to their special, limited, or short-term use.
- With the completion of current projects, placements available to the Department total 5,852.
- The current (2-3-89) population totals 6,071: 1,848 (30.4%) maximum/ special management; 1,519 (25.0%) medium; and 2,704 (44.5%) minimum/community custody.
- If all current expansion projects were fully complete today, the current population would exceed the operating capacity by 219; the maximum/special management population would exceed comparable capacity by 506, capacity for medium and minimum/community custody would exceed the population by 186 and 101, respectively.
- The system has experienced an annual average population growth of 528 over the last five years and an annual average growth of 372 over the last ten years .
- Since passage of HB 3079, accelerating parole eligibility and conditional release dates, monthly populations have fluctuated. The current population of 6,071 compares to 6,013 as of June 30, 1988.
- Recent experience indicates a return to monthly population increases similar to those experienced prior to HB 3079; a 372 to 528 increase a year.
- A return to 372 per year population increase would mean the 750-800 bed recommended facility would be filled at completion and the system would still be 300 plus inmates over capacity.
- A return to 528 per year population increase would mean the 750-800 bed recommended facility would be filled at completion and the system would be 691 inmates over capacity.

**CAPACITY - POPULATION ANALYSIS,
BY SECURITY DESIGNATION OF BEDSPACE**

DOC FACILITIES, INCLUDING PROJECTS IN PROCESS

	<u>Maximum*</u>	<u>Medium</u>	<u>Minimum**</u>	<u>Total</u>	<u>Spec. Use/ Infirm.</u>	<u>Temp.</u>
Penitentiary	588	524	300	1,412	71	119
Reformatory	450	237	160	847	154	50
Cor. Voc. Tgn. Ctr.	-	40	140	180	6	-
Recpt. & Diag. Ctr.	123	-	90	213	4	10
Cor. Inst. Lansing	40	-	200	240	19	-
Norton Cor. Fac.	-	232	268	500	11	-
Honor Camps	-	-	172	172	-	-
Winfield Cor. Fac.	-	-	290	290	2	-
Wichita Work Rel.	-	-	100	100	-	-
Topeka Cor. Fac.	-	-	111	111	-	-
Osawatomie Cor. Fac.	-	-	80	80	-	-
Hutch Work Rel.	-	-	20	20	-	-
Forbes Cor. Fac.	-	-	80	80	-	-
Hutch Cor. Work Fac.	-	320	80	400	-	-
Stockton Cor. Fac.	-	-	94	94	-	-
Ellswor. Cor. Wk. F.	68	352	96	516	17	-
Subtotal	1,269	1,705	2,281	5,255		
<u>NON-DOC PLACEMENTS</u>						
Contract Jail	-	-	75	75		
Comm. Resident. Ctr.	-	-	406	406		
Larned	73	-	43	116		
Subtotal	73	0	524	597		
TOTAL CAPACITY AND PLACEMENTS	1,342	1,705	2,805	5,852		
CURRENT POPULATION [2-3-89]	1,848	1,519	2,704	6,071		
CAPACITY + OR (-) CURRENT POPULATION	(506)	186	101	(219)		

*Includes special management & unclassified.

**Includes community custody.

2-6-89

PROJECTED POPULATION COMPARED TO CAPACITY TO 6-30-91 [28mo, 25da]

A. Last Five Year Experience - FY 83-88 [44 per mo. = 1272, 28mo, 25da]

	<u>Maximum*</u>	<u>Medium</u>	<u>Minimum**</u>	<u>Total</u>	<u>Spec. Use/ Infirm.</u>	<u>Temp.</u>
Projected Pop.	2,235	1,837	3,270	7,343	-	-
Current Capacity	1,342	1,705	2,805	5,852	-	-
Cap. + or (-) Pop.	(893)	(132)	(465)	(1,491)		
Add New Facility	736	-	64	800	64	-
Cap. + or (-) Pop	(157)	(132)	(401)	(691)		

B. Last Ten Year Experience - FY 78-88 [31 per mo. = 896, 28mo, 25da]

	<u>Maximum*</u>	<u>Medium</u>	<u>Minimum**</u>	<u>Total</u>	<u>Spec. Use/ Infirm.</u>	<u>Temp.</u>
Projected Pop.	2,121	1,743	3,103	6,967	-	-
Current Capacity	1,342	1,705	2,805	5,852	-	-
Cap. + or (-) Pop	(779)	(38)	(298)	(1,115)		
Add New Facility	736	-	64	800	64	-
Cap. + or (-) Pop	(43)	(38)	(234)	(315)		

*Includes special management & unclassified.
 **Includes community custody.

End-of-month Inmate Population Report (January, 1989; Mo. 7, FY 89)

Highlights

Inmate Population

- January increase is a sharp reversal of the slight downward trend observed in the previous six months.
 - Increase of 125 for the month, 6057 from 5932 -- the highest single month's increase in the 1980s.
 - Increase of 44 so far in the first seven months of FY 1989, 6057 from 6013 (average increase of about 6 per month).

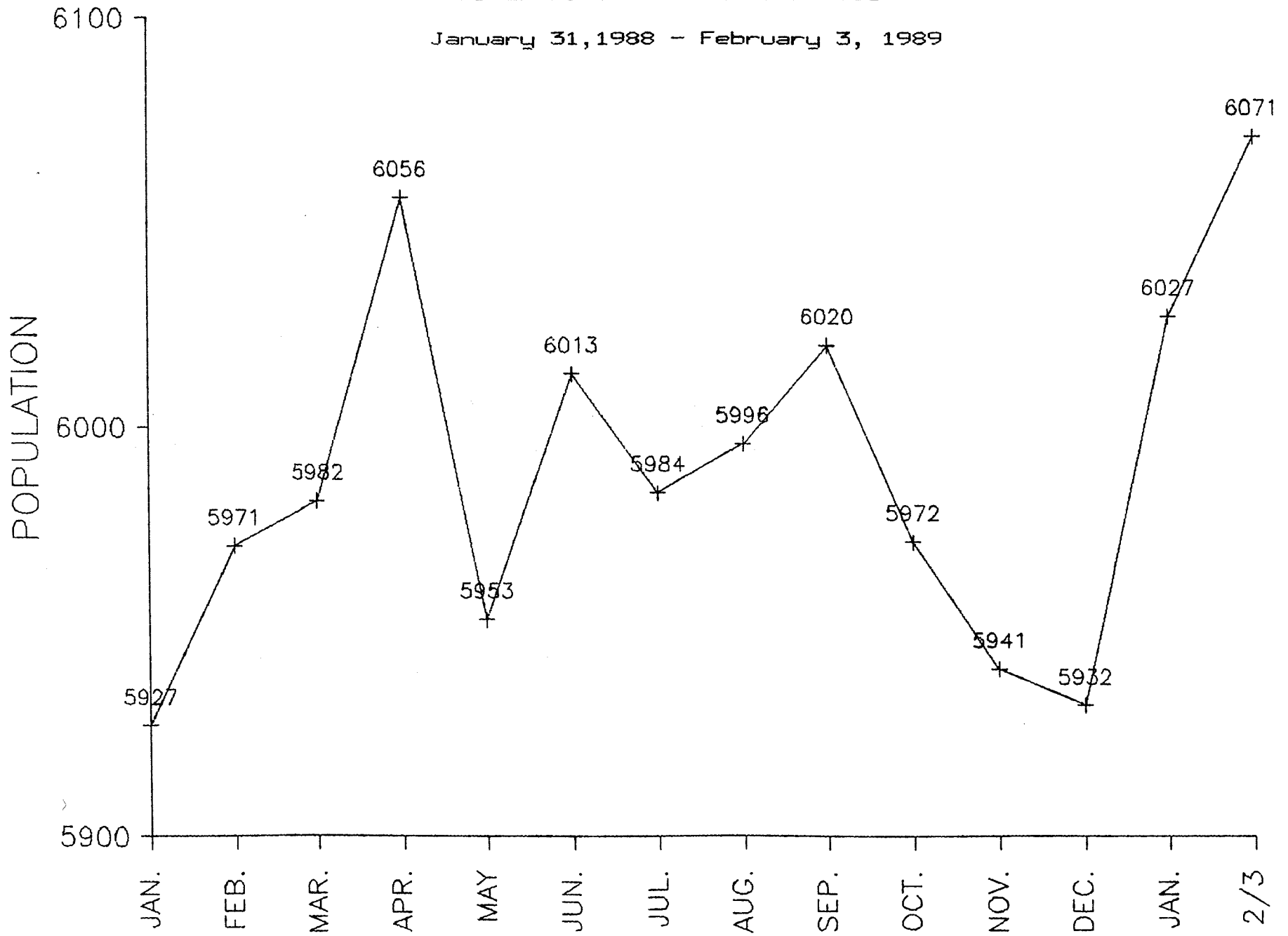
Admissions and Releases

- Total number of admissions in December was 333 -- one of the highest monthly totals in recent years.
 - Court commitments totaled 255 -- compared to the FY 89 year-to-date monthly average of 208.
 - Admissions for technical violations of parole and conditional release totaled 75. The FY 89 year-to-date monthly average of 61 compares to the monthly average of 47 in FY 1988 and 33 in FY 1987.
- Releases for January were only 210 -- compared to the FY 89 year-to-date monthly average of 281.
 - Parole releases were 123 -- down from 177 in December, 223 in November, and 228 in October. The monthly average of 179 for the first seven months of FY 89 is still higher than the average of 127 for FY 88.

KANSAS DEPARTMENT OF CORRECTIONS
TOTAL (ALL FACILITIES)

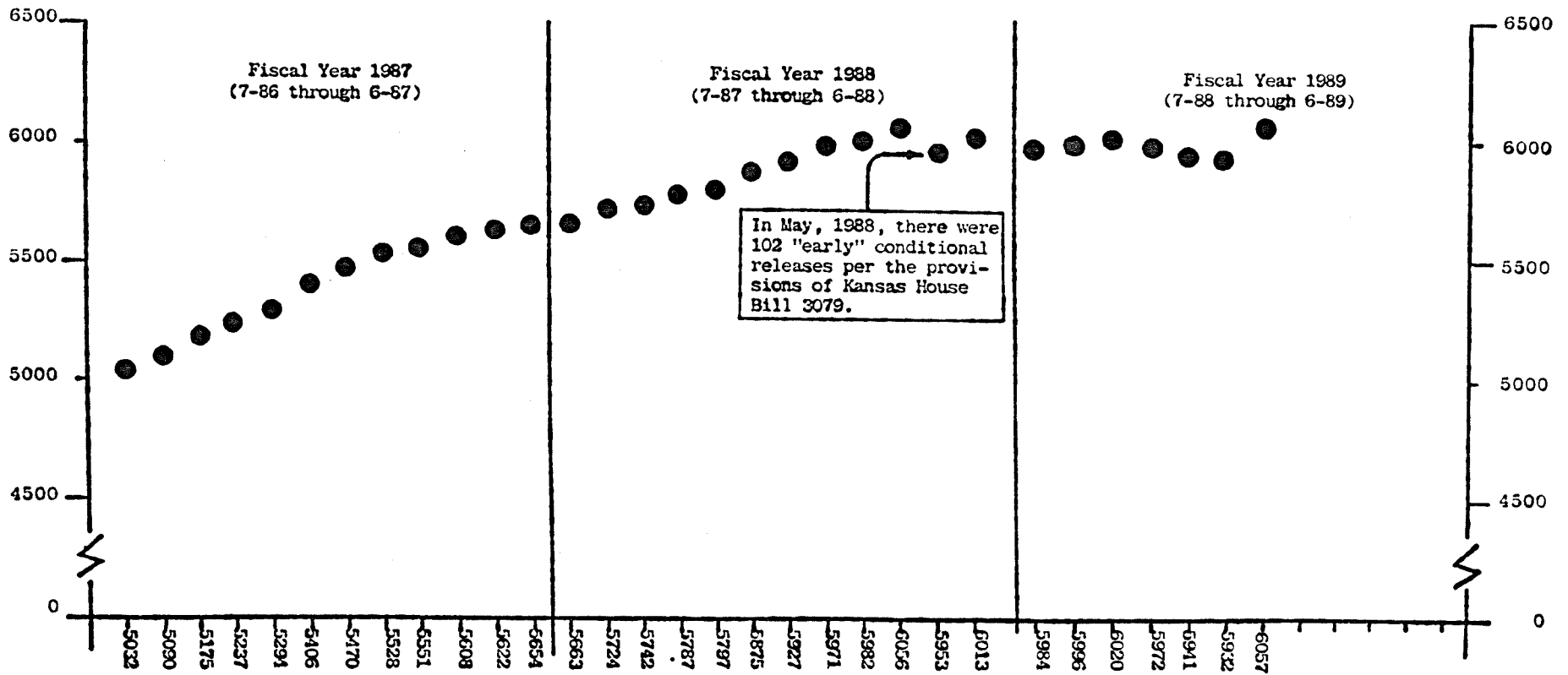
<u>Month</u>	<u>Population</u>	<u>Change from Previous Month</u>
December 1987	5875	--
January 1988	5927	+ 52
February	5971	+ 44
March	5982	+ 11
April	6056	+ 74
May	5953	-103
June	6013	+ 60
July	5984	- 29
August	5996	+ 12
September	6020	+ 24
October	5972	- 48
November	5941	- 31
December	5932	- 9
January 1989	6057	+125
February to date (2-3-89)	6071	+ 14

END OF MONTH INMATE POPULATION:
January 31, 1988 - February 3, 1989



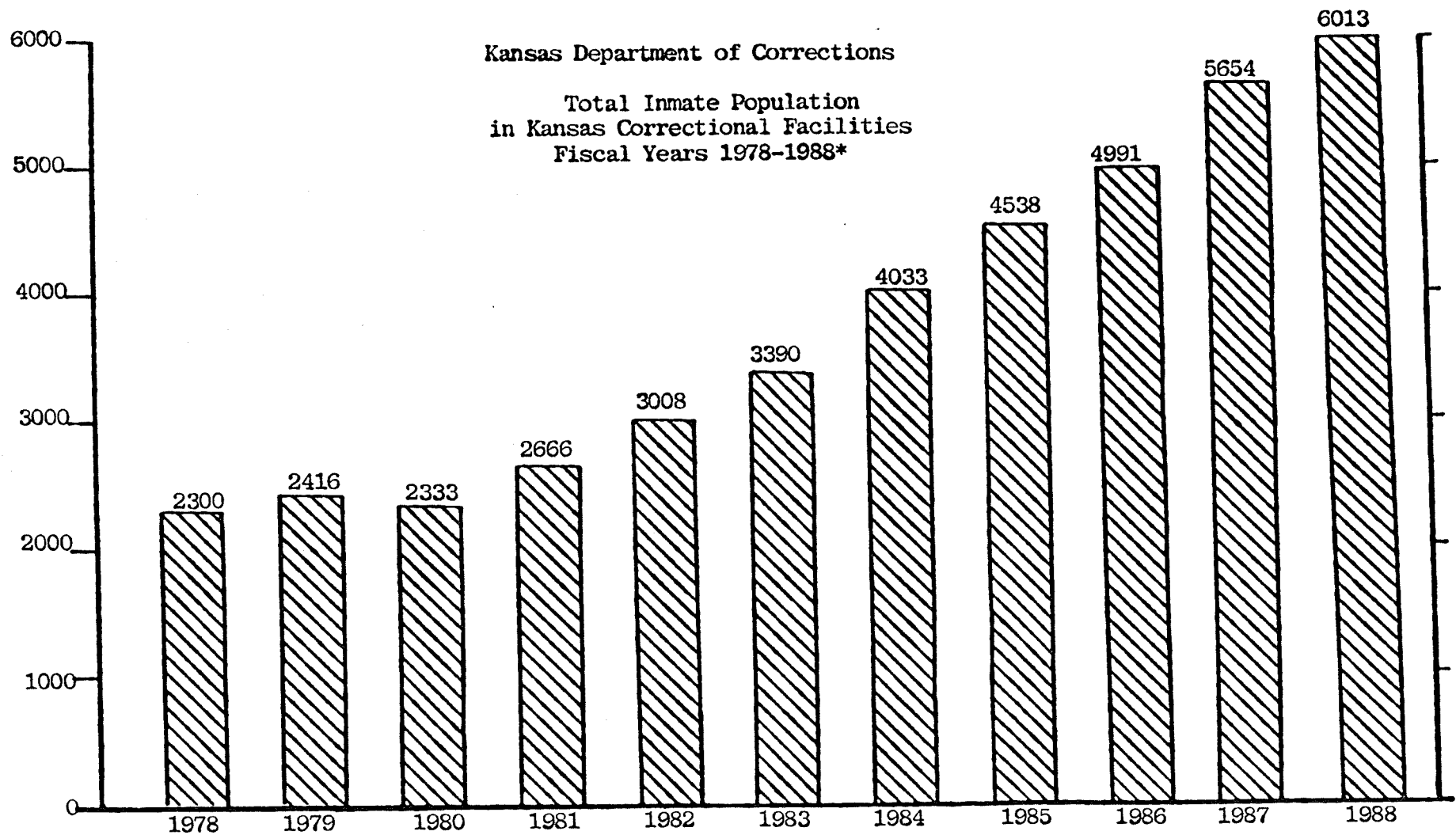
Kansas Department of Corrections

End-of-month Inmate Population (Census) for Each Month of Fiscal Years 1987 - 1989 (to date)*



*Reflects total inmate population, including the non-D.O.C. facility population (contracted beds - contract work release, contract jail placement, Larned State Hospital, and community residential centers.

Prepared by Information Systems and Research Unit.



*Figures reflect total inmate population as of the end of each fiscal year (June 30), including the non-D.O.C. facility population (contract work release, contract jail placement, and Larned State Hospital).

Prepared by Information Systems and Research Unit.

Inmate Population by Selected Criminal Offense:
June 30, 1983 and June 30, 1988

	<u>1983</u>	<u>1988</u>
<u>Crimes Against Persons</u>		
Murder	368	528
Manslaughter	86	116
Vehicular Homicide	0	18
Kidnapping (Including Aggravated)	198	310
Aggravated Battery	169	306
Aggravated Robbery	509	733
Robbery	196	273
Aggravated Burglary	43	132
Aggravated Assault	76	145
Aggravated Arson	8	19
Rape	127	253
Aggravated Sexual Battery	0	81
Aggravated Sodomy	60	141
Aggravated Indecent Liberties with a Child	1	14
Indecent Liberties with a Child	61	295
Aggravated Incest	9	57
Sexual Exploitation of a Child	1	3
Aggravated Indecent Solicitation of a Child	3	9
Enticement of a Child	4	11
Abuse of a Child	7	20
Promoting Sexual Performance of a Minor	0	2
Contributing to Misconduct or Deprivation/Child	0	2
	<hr/>	<hr/>
Subtotal	1926	3468
	<hr/>	<hr/>
<u>Drug Offenses</u>	142	477
	<hr/>	<hr/>
Total - Selected Offenses	2068	3945
Total - All Inmates	3353	6013
% of Total Population	61.7	65.6

Note. All counts include attempts, conspiracy and solicitation.

KANSAS CORRECTIONAL FACILITIES:
EXISTING AND APPROVED ADDITIONS

EXISTING DOC FACILITIES AND FY 1989 ADDITIONS

<u>Institution/Unit</u>	<u>Number and Type of Housing</u>	<u>Operating Capacity</u>	<u>Spec. Use/ Infirmary</u>	<u>Temporary</u>
Penitentiary				
A Cellhouse	222 1-inmate cells	222		
B Cellhouse	270 1-inmate cells	270		
C Cellhouse	144 1-inmate cells	96	48	
C Cellhouse	32 3-inmate cells	96		
D Cellhouse	140 1-inmate cells	140		
Outside Dorm #2 (R & S Units)	3 Dormitories	150		
Medium Security Unit (K, L, & M Units)	288 1-inmate cells	288		
Minimum Security Dorm (Q Unit)	2 Dormitories	150		
A & T (E Cellhouse)	101 1-inmate cells 6 3-inmate cells	-		101 18
Infirmary		-	23	
Subtotal		1,412		
Industrial Reformatory				
A Cellhouse	100 1-inmate cells	50	50	
A Cellhouse	98 1-inmate cells	-	98	
B Cellhouse	200 1-inmate cells	200		
C Cellhouse	200 1-inmate cells	200		
D Cellhouse	79 3-inmate cells	237		
D Cellhouse (Handicapped)	1 inmate cell	-	2	
E Living Dorm	1 Dormitory	-		50
Minimum Security Unit	5 Dormitories	160		
Infirmary & Other		-	4	
Subtotal		847		
Correctional-Vocational Training Center				
Housing Unit 1	40 1-inmate rooms	40		
Housing Unit 2	40 1-inmate rooms	40		
Housing Unit 3	40 1-inmate rooms	40		
Housing Unit 4	40 1-inmate rooms	40		
J Building	20 1-inmate rooms	20		
Admin. Bldg.	2 1-inmate cells	-	2	
Infirmary		-	4	
Subtotal		180		
Reception and Diagnostic Center				
Main Bldg. Cells	28 2-inmate cells	28		
Main Bldg. Dorms	8 Dormitory	95		
Work Center	1 Dormitory	90		
Main Bldg.	1 Dormitory			10
Main Bldg.	4 1-inmate cells	-	4	
Subtotal		213		

KANSAS CORRECTIONAL FACILITIES:
EXISTING AND APPROVED ADDITIONS

<u>Institution/Unit</u>	<u>Number and Type of Housing</u>	<u>Operating Capacity</u>	<u>Spec. Use/ Infirmary</u>	<u>Temporary</u>
Correctional Institution at Lansing				
Sunflower	48 1-inmate rooms	48		
Redwood	2 Dormitories	70		
Perry Building	40 1-inmate rooms	40		
	9 1-inmate cells		9	
Admin. Bldg. (Adm./Infirm.)	Dormitory	-	10	
Subtotal		<u>158</u>		
Ellsworth Correctional Work Facility				
Multi Security		-		
Minimum Housing	Dormitory	96		
Medium Housing		200		
Infirmary		-		
Subtotal		<u>296</u>		
Norton Correctional Facility				
Carlson Building	45 Rooms	168		
Crumbine Building	Dormitory	<u>100</u>		
Subtotal		268		
Toronto Honor Camp	Dormitory	70		
El Dorado Honor Camp	Dormitory	102		
Forbes Corr. Facility	2 1-inmate rooms	2		
	10 2-inmate rooms	20		
	16 3-inmate rooms	48		
	1 4-inmate room	4		
	1 6-inmate room	<u>6</u>		
Subtotal		80		
Hutchinson Work Rel. Ctr.	Dormitory	20		
Wichita Work Release Center	45 inmate rooms	100		
Winfield Corr. Facility	32 inmate rooms	104		
	9 Dormitories	186		
	Infirmary		2	
Subtotal		<u>290</u>		
Topeka Correctional Facility	18 inmate rooms and Dormitory	111		
Osawatomie Corr. Facility				
Carmichael Bldg.	32 2-man rooms	64		
	2 8-man Dormitories	<u>16</u>		
Subtotal		80		
Stockton Corr. Facility	Dormitory	94		
Hutchinson Cor. Work Facility	Dormitory	200		
	Dormitory	120		
		<u>80</u>		
		400		
TOTAL EXISTING FACILITIES AND FY 1989 ADDITIONS		<u>4721</u>		

KANSAS CORRECTIONAL FACILITIES:
EXISTING AND APPROVED ADDITIONS

FY 1989/1990 ADDITIONS

<u>Institution/Unit</u>	<u>Number and Type of Housing</u>	<u>Operating Capacity</u>	<u>Spec. Use/ Infirmary</u>	<u>Temporary</u>
Norton Corr. Facility	Kenny-Lathrop Bldg.	232	11	
Ellsworth Corr. Facility	Multi-security Facility	68	17	
		152		
Corr. Inst. at Lansing	Net addition: New 200- bed facility minus exist- ing Sunflower and Redwood Units	82		
		—		
Total FY 1989/1990 Additions		<u>534</u>		

TOTAL - DOC FACILITIES EXISTING
AND APPROVED ADDITIONS

5,255

Department of Corrections: Beds Added Since 1983

<u>Facility</u>	<u>Location of Beds</u>	<u>Date Completed</u>	<u>Number of Beds</u>
Penitentiary	Medium Unit	1985	288
	Minimum Dormitory	1985	100
		1987	<u>50</u>
			438
Reformatory	Minimum Unit	1985	96
	Minimum Unit Expansion	1986	<u>64</u>
			160
Reception & Diagnostic Ctr.	Dormitory	1987	32
	Work Center/Dormitory	1988	<u>90</u>
			122
Corr. Institution at Lansing	Dormitory	1985	46
	Dormitory (net addition)	1989	<u>82*</u>
			128
Toronto Honor Camp	Dormitory	1987	9
El Dorado Honor Camp	Dormitory	1985	32
	Dormitory	1988	<u>6</u>
			38
Wichita Work Release	Minimum Units	1984	20
		1988	<u>25</u>
			45
Topeka Correctional Facility	Minimum Units	1984	65
		1986	16
		1988	<u>30</u>
			111
Winfield Corr. Facility	Minimum Units	1984	141
		1987-1988	<u>149</u>
			290
Norton Correctional Facility	Minimum Units	1988	240
	Medium & Minimum Units	1989	<u>260*</u>
			500
Osawatomie Corr. Facility	Minimum Units	1988	80
Forbes Correctional Facility	Minimum Units (net addition)	1988	54
Ellsworth Corr. Work Facility	Multi-security Facility	1988	296
		1989	<u>220*</u>
			516
Stockton Corr. Facility	Dormitory	1989	94
Hutchinson Corr. Work Fac.	Dormitory	1989	400*
TOTAL			<u>2985</u>

*Project in progress.

Note: The 1988 Legislature also approved funds for placement of 400 inmates in community residential centers to be operated by private contractors.

Prepared 1-24-89 by Kansas Department of Corrections, Information Systems and Research Services Unit.