

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Senator August "Gus" Bogina, Chairperson, at 11:12 a.m. on March 16, 1992 in Room 123-S of the Capitol.

All members were present except:

No one was absent

Conferees appearing before the committee:

Gary Stotts, Secretary, Department of Corrections

Secretary of Corrections, Gary Stotts, appeared before the Committee and stated that the Department had studied options to create the separation of female and male inmates at the Lansing East facility. He stated the options that would be functional, would make use of current facilities, and would have the lowest renovation costs were analyzed in greater detail. The two options that the Department determined to be most feasible were discussed in Attachment 1. Sec. Stotts noted that other options such as using the medium security facility at Lansing as a female unit had been considered, but the Department cannot afford to trade medium security male beds for the female capacity. He stated that the female inmate population as of March 13, 1992 was 296.

Secretary Stotts noted that after meeting with a neighborhood group near the Topeka Central facility, it is his belief that opposition to option 2 still exists because of questions about property valuation.

In answer to Senator Kerr's question, the Secretary stated that some community programs in other cities may be discontinued because the minimum security population of the facilities would be altered (Attachment 1-1). He stated that the options were not listed in order of preference, although the change in statute that limits the inmate classification required in option 2 would not be easy to accomplish. Secretary Stotts indicated that the statutory prohibition was written in response to community opposition to the facility. Chairman Bogina requested that the Department study the possibility of using a berm and evergreen trees to provide a visual barrier to the facility.

In answer to Senator Salisbury, Sec. Stotts stated that "doubling up" of inmates would occur during the four to six months that would be required to make security changes in one unit of Central Building. He concurred that the annual operating costs of housing the females in Topeka is approximately one third that of housing them in Lansing.

In answer to Senator Parrish, the Secretary stated that the Department had studied the cost of remodeling the "I" dormitory, but preliminary estimates indicate that the cost will approach that of building a new maximum security unit. Senator Parrish expressed her opinion that decisions regarding inmate placement should occur after sentencing guidelines have gone into effect, as they might affect prison population. In answer to her request, Sec. Stotts stated that the fence proposed for the Topeka Central facility is not a McDougal fence, but he would make available the cost of a McDougal fence for that facility.

Sec. Stotts told the Committee that the staffing costs at the Lansing facility would be higher than the staffing costs at Topeka because no new staff would be required in Topeka. However, in Lansing, the R & S Unit would be reopened and additional staff would be hired.

In answer to Senator Winter, Secretary Stotts stated that 20-40 female inmates are considered dangerous to staff, other inmates or themselves, but he does not have numbers of battered women whose cases are being reviewed for pardon by the Governor. He told Senator Winter that creating special beds for MH female inmates is part of what is involved in the separation plan.

The Chairman thanked Secretary Stotts for appearing before the Committee.

2705 - Appropriations for FY92, supplemental appropriations for adjutant general and governor's department.

The Chairman reopened the hearing on HB 2705 and reminded the Committee that Senator Brady's motion to appropriate \$1.5 million from the office of the Secretary of State for aid to counties for the presidential primary was still pending. Senator Brady noted that the funding would be FY93, similar to the Governor's recommendation.

Senator Gaines voiced his opposition to the amendment, noting his opinion that the presidential primary was a waste of money. Senator Doyen indicated that if the counties had to pay for the primary, they might change their position on it.

The motion carried on a show of hands.

It was moved by Senator Winter and seconded by Senator Gaines that HB 2705 be amended by deleting the FY93 appropriation for the Governor's department for the special prosecutor so that the issue can be studied in subcommittee. The motion carried.

The Chairman noted that the appropriation which had been made to Kansas State University for the Kansas Rural Development Council as a match for federal funds should have been appropriated to the Department of Commerce. Senator Hayden moved, Senator Winter seconded, that HB 2705 be amended by appropriating \$13,370 in FY92 from the EDIF to the Department of Commerce (instead of Kansas State University) for the Kansas Rural Development Council as a correction to the motion made on March 9, 1992. The motion carried.

Senator Kerr moved, Senator Winter seconded, that HB 2705 be amended by appropriating \$33,962 from the SGF in FY93 to the Department of Commerce for the Kansas Rural Development Council. The motion carried.

It was moved by Senator Winter and seconded by Senator Gaines that HB 2705 as amended be recommended favorable for passage. The motion carried on a roll call vote.

The Chairman adjourned the meeting at 12:12 p.m.

**WOMEN'S FACILITY OPTIONS
KANSAS DEPARTMENT OF CORRECTIONS**

1. Place all females except work release and halfway house at Lansing (East and North Units).

Advantages:

- Perimeter security in place.
- Maximum females already there--no movement of high security offenders required.
- Community acceptance not an issue.
- Movement can be scheduled, no intermediate placement required.

Disadvantages:

- Quality of life may be perceived as less.
- Topeka facility would become male--minimum would draw population from other facilities. Require change in distribution of minimums for institutional support and work programs.
- Programs for minimum males would need to be shifted and/or developed; additional program costs.
- Requires court approval.
- Movement of large number of inmates--200+ females/200+ males.
- Cost of opening additional housing units.

2. Place all females except private industry, work release, halfway house at Topeka Central.

Advantages:

- Requires movement of small number of inmates--40 females from Lansing to Topeka and 16 females from Lansing East to North Unit.
- Most established programs would not be disrupted--some enhancement perhaps required.
- 24-hour medical coverage in place.
- Perceived better quality of life.
- Staff now working with females.

*SWAM
March 16, 1992
Attachment 1*

Disadvantages:

- Facility located close to residential area.
- Residents opposed to placement of maximums - fencing and lighting upgrades.
- Statutory prohibition to maximum placement.
- Project would need to be complete before movement can take place.

SUMMARY - ADDITIONAL COST (AMOUNTS IN ADDITION TO GBR)

	<u>Lansing</u>	<u>Topeka</u>
Staff	\$347,000 ¹	\$113,500 ⁶
Programs	76,000 ²	18,000 ⁷
Medical	30,000 ³	-
Other Operating	<u>15,000⁴</u>	<u>9,500⁸</u>
Subtotal Operations	\$468,000	\$141,000
Capital Improvements	\$400,000 ⁵	\$400,000 ⁵
Fence Option	-	93,000 ⁵

- 1 - 13 FTE to reopen North.
- 2 - Estimated additional programs needed for minimum males at Topeka.
- 3 - To provide 24-hour coverage.
- 4 - Utility costs for North.
- 5 - Assumes inmate labor.
- 6 - 5 FTE to staff private industry work release.
- 7 - Female sex offender.
- 8 - Utility cost - lighting upgrade.

	<u>Lansing</u>	<u>Topeka</u>
Unit Capacity	342*	290***
Work Release	10	10
Private Industry	-**	16
Halfway House	4	4
RDU	<u>16</u>	<u>16</u>
	372	336

Population 3/13..... 296

- * 30 beds not staffed
- ** Included in unit capacity
- *** Does not include "I" Dorm Contingency 64 beds, \$105,000