

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on January 12, 1995 in Room 313-S of the Capitol.

All members were present except:  
Representative Clyde Graeber - Excused

Committee staff present:  
Jerry Donaldson, Legislative Research Department  
Jill Wolters, Revisor of Statutes  
Cindy Wulfkuhle, Committee Secretary

Conferees appearing before the committee:  
Chuck Simmons, Acting Secretary Department of Corrections  
Carolyn Hill, Department of Social & Rehabilitative Services

Others attending: See attached list

Chuck Simmons, Acting Secretary Department of Corrections, appeared before the committee to give a briefing on Kansas prison population. He provided the committee with charts that show the growth of the inmate populations within the Department of Corrections, monthly admissions and releases, and number of return admissions for condition violators by month. (Attachment 1)

The current operating capacity is 6,703 and the current inmate count is 6,369. There will be an additional 115 beds available between February 1, 1995 - May 1, 1995. He projected that by June 30, 1995 the inmate count would be 6,540 and by June 30, 1996 the count would be 6,759. At the current time based on projections, DOC is running 54 inmates ahead of what is projected for this time period. (Attachment 2)

Chairman O'Neal asked Mr. Simmons to explain what it takes to trigger a notice to be given to the Sentencing Commission. Mr. Simmons responded that the operating capacity is established by court order and the Legislature enacted a law that when population is at 90% of capacity the Department of Corrections is to notify the Sentencing Commission and the Commission would meet and consider options available: such as changes in the sentencing grid, severity level of crimes or any other options under the guidelines that could address the problems.

Mr. Simmons provided the committee with a copy of the sentencing grid with the number of admissions in each severity level. The information did not reflect those who receive non-prison sanctions and are not committed to the custody of the Department of Corrections. The chart doesn't show the 8 inmates that were admitted for "off grid crimes", which are 1st degree murder. (Attachment 3)

The 90-day period of revocation for violation of postrelease supervision conditions has caused management problems within the field of supervision as well as a management problem within the prison system when offenders return. Parole staff has said that offenders on postrelease supervision are telling them that they are not going to comply with the conditions of supervision, that they can return to prison and do the 90 days "standing on their head". Facility staff commented that when inmates return to prison, they know that they are going to be out in 90 days and that they are not going to comply with the rules of the facility. A study was done to see if these were "real" concerns. (Attachment 4) The findings of the study suggest that individuals released under retroactivity violate conditions of supervision at a higher rate than those released on parole. Individuals that are supervised in-state are revoked at a rate of 1-2.9 as opposed to those supervised out-of-state at 1- 8.7. Data supports the staff perception that offenders who are returned for the 90 days are more of a management problem than offenders released before sentencing guidelines. The 90 day period is not a deterrent and the period should be longer and the period should not count towards the supervision period. Any time spent in prison for violating the conditions of release should be "dead time" i.e., not credited toward the period of post-incarceration supervision.

The Department of Corrections implemented an Offender Fees program which would allow the Department to collect \$1 per month, not to exceed \$12 per year, from each inmate for administration of the inmate trust account; \$2 for each primary visit to an institutional sick call initiated by the inmate; a fee which would be the actual cost of administering an urinalysis, from all offenders for each urinalysis test which produces a positive

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY, Room 313-S Statehouse, at 3:30 p.m. on January 12, 1995.

result for an illegal substance; and a supervision fee of up to \$25 per month for each offender under parole, postrelease, conditional release, or interstate parole or probation supervision. (Attachment 5)

Chairman O'Neal asked if the Department of Corrections was undertaking a study as to why out-of-state revocations are less and what they are doing that we might want to emulate. Mr. Simmons responded that a task force has been established to look at this issue.

The Chairman asked if the new reform of the habeas corpus statute had enough time to produce any results. Mr. Simmons responded by saying that if the question was, has the reform resulted in fewer lawsuits, the answer is no. The Chairman asked if additional amendments are needed. Mr. Simmons stated that perhaps there should be a filing fee imposed, rather than optional, to minimize those cases. In December there was 66 new lawsuits filed. Chairman O'Neal questioned if the courts had taken the opportunity to dismiss them and assess costs. Mr. Simmons responded that he was not aware of any costs being assessed.

Carolyn Hill, Department of Social & Rehabilitative Services, appeared before the committee and stated that all the regional juvenile youth centers are open, with the exception of Lawrence which is scheduled to open this month. Saline & Reno counties have not received their funds to operate the program. In 1994 the legislature approved that the Juvenile Detention Facilities Fund would receive additional funds from the Gaming Revenues. SRS is currently discussing the use of these funds with counties with detention centers, the detention regional advisory boards, the Kansas Association of Counties, the Advisory Committee on Juvenile Offender Programs, and will continue those discussions with the 1995 Legislature. (Attachment 6)

The Committee meeting adjourned at 5:00 p.m. The next meeting is scheduled for January 17, 1995.

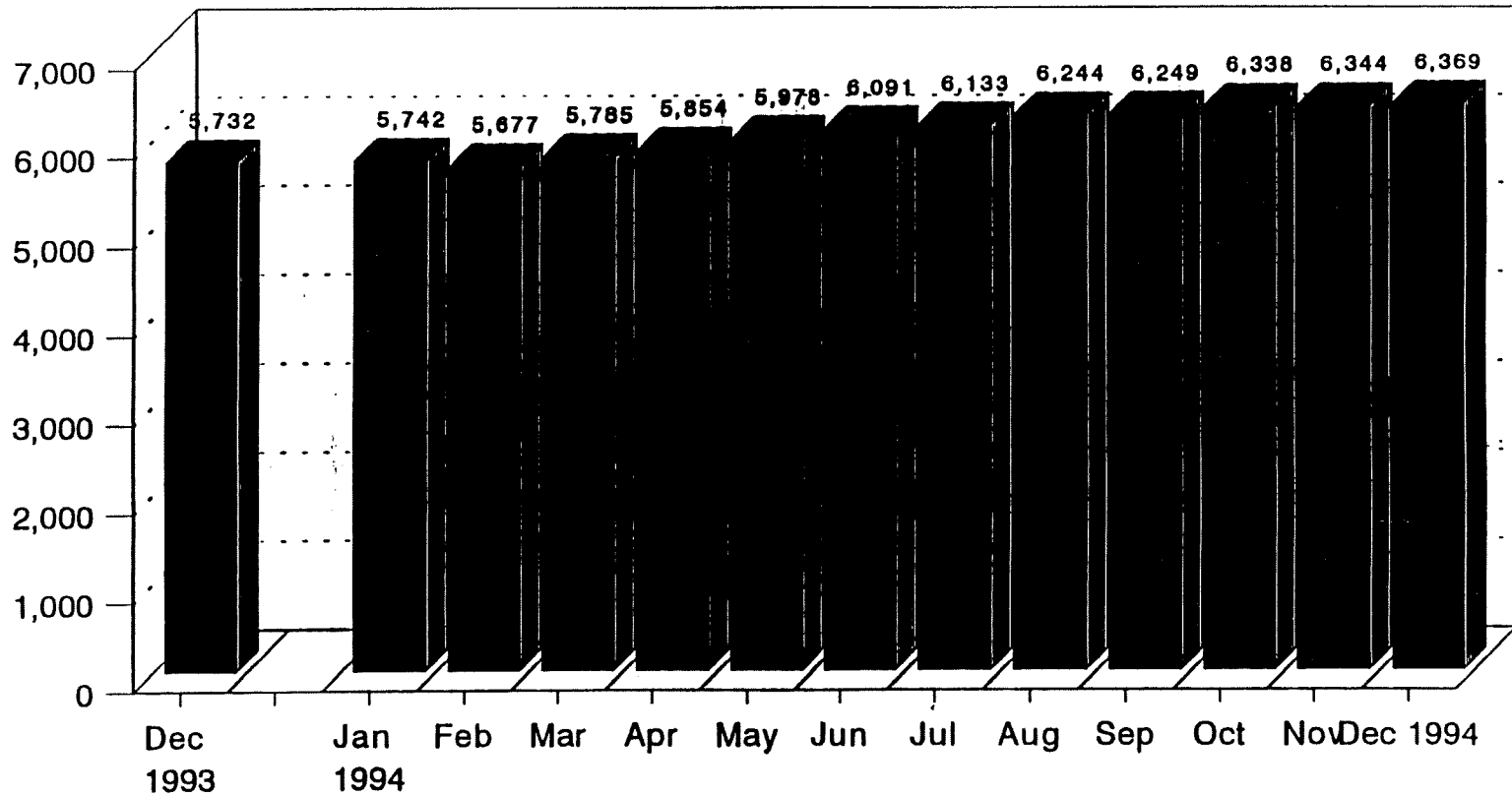
# HOUSE JUDICIARY COMMITTEE GUEST LIST

DATE: JANUARY 11, 1995

NAME	REPRESENTING
Shannon Peterson	KBA
Matt Jordan	KBar
Amy Howell	
Tanya Taylor	
Charles Simmons	KDOC
Kathie Sparks	DOB
Scott M. Allison	DOB
Sayyid A. Oyeyinde	Kansas Sentencing Commission
Debra Pedigo	KSC
Lisa Mertes	KSC
Carolee Wesley Lee	SRS
Paul Shelby	OJA
Joan Clark	KC DAA
Ken Coates	KPA
Londonne Coder	Lekman, Brandelberry, & Assoc.
Mel Cathy	BIDS
KEITH R LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
WALT DARLING	KS DIVISION OF BUDGET

# Kansas Department of Corrections

## End-of-month Inmate Population: December, 1993 - December, 1994\*



House Judiciary  
1-12-95  
Attachment 1

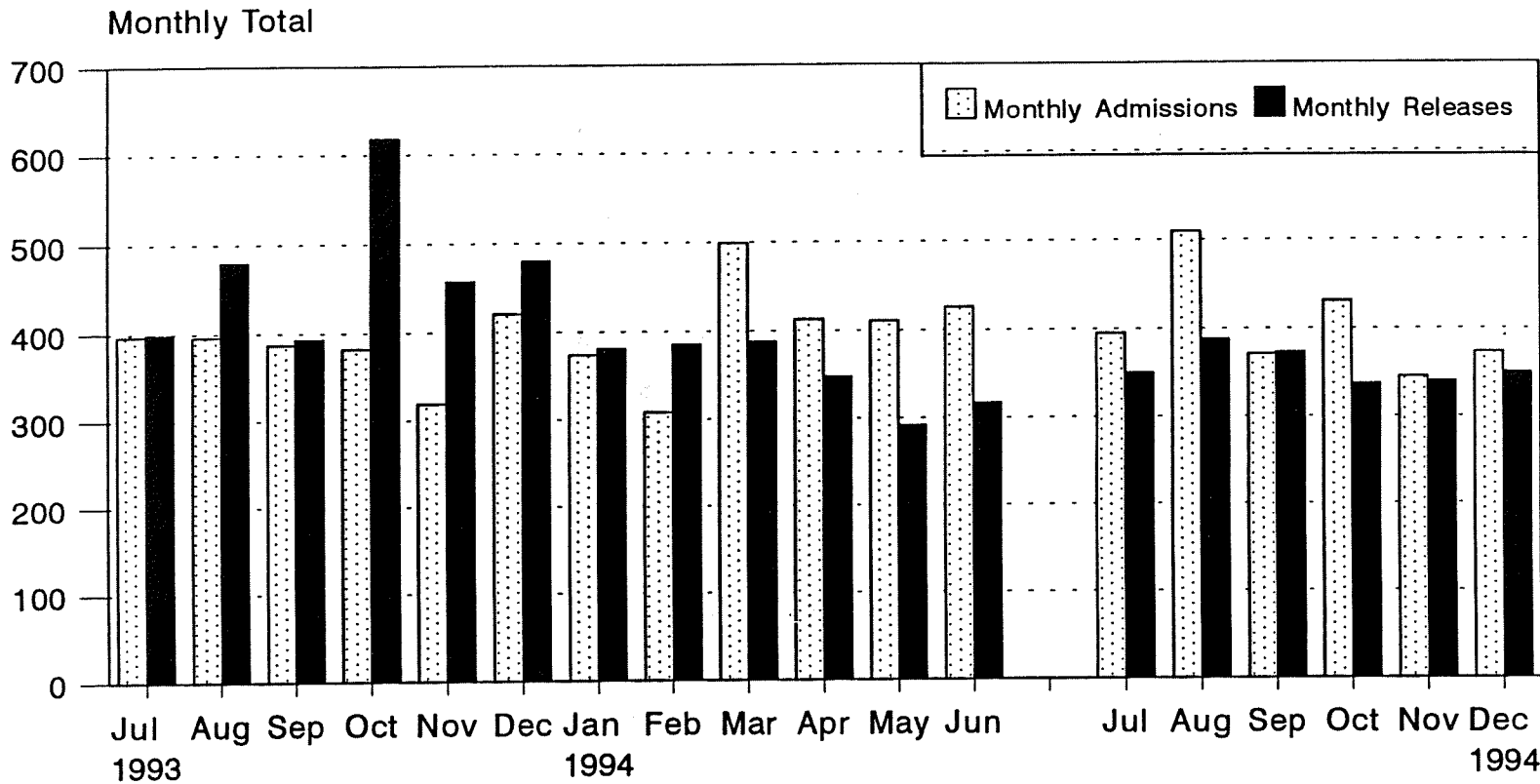
Change from Prev. Mo.			10	-65	108	69	124	113	42	111	5	89	6	25
Change from Dec., 1993			10	-55	53	122	246	359	401	512	517	606	612	637

\*Figures reflect the total inmate population (combined DOC and Non-DOC facility populations).

## Kansas Department of Corrections

### Monthly Admissions and Releases: FY 1994 and FY 1995 To-date (Through Dec., 1994)

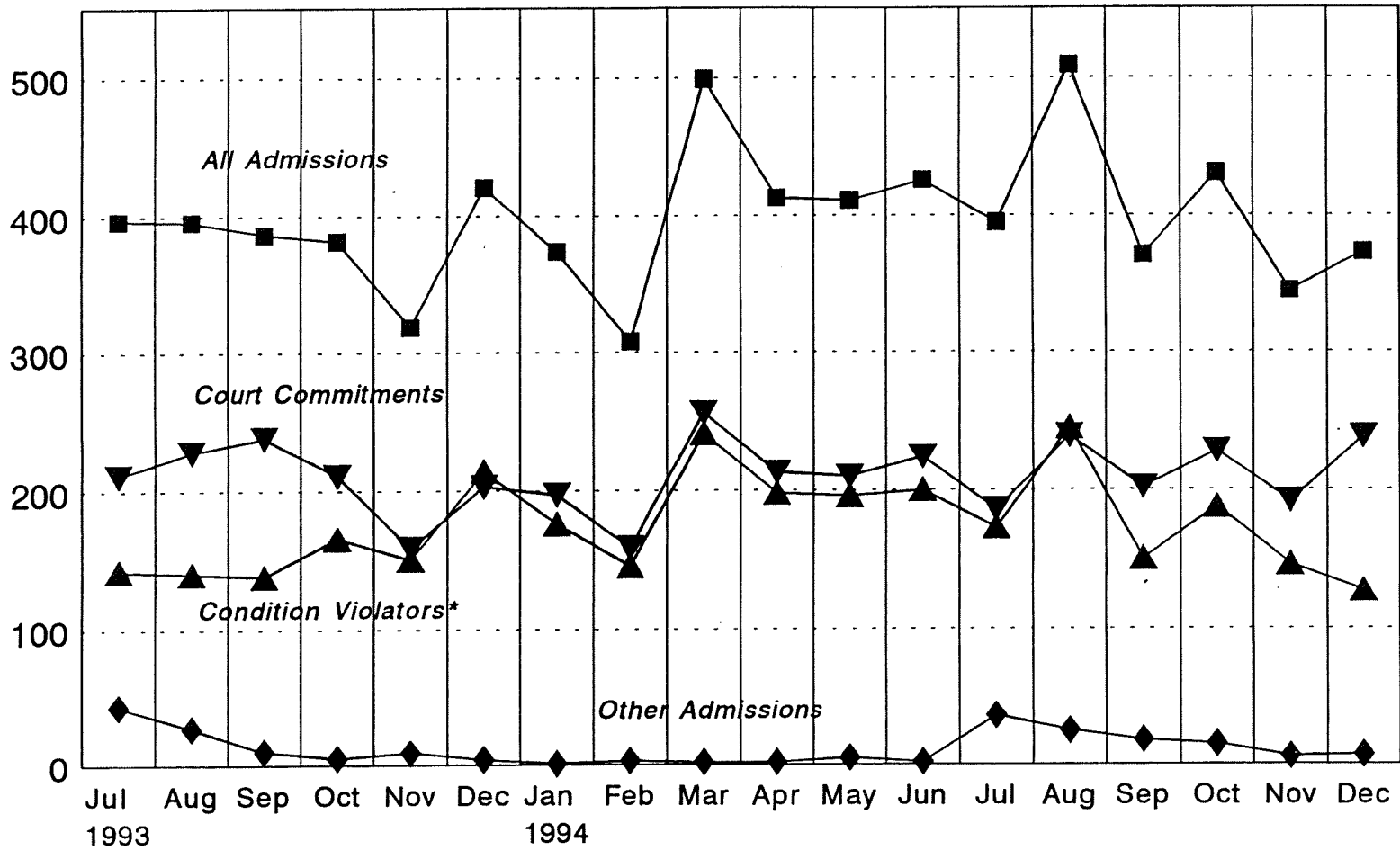
1-2



Monthly Admissions	397	396	387	382	319	421	374	308	499	413	411	426		395	509	371	431	345	373
Monthly Releases	399	479	393	618	457	480	381	385	388	348	292	317		350	388	373	337	340	350
Cumulative Admissions	397	793	1180	1562	1881	2302	2676	2984	3483	3896	4307	4733		395	904	1275	1706	2051	2424
Cumulative Releases	399	878	1271	1889	2346	2826	3207	3592	3980	4328	4620	4937		350	738	1111	1448	1788	2138

# Kansas Department of Corrections

## Monthly Admissions by Category: FY 1994 - FY 1995 To-date (Through Dec., 1994)



1-3

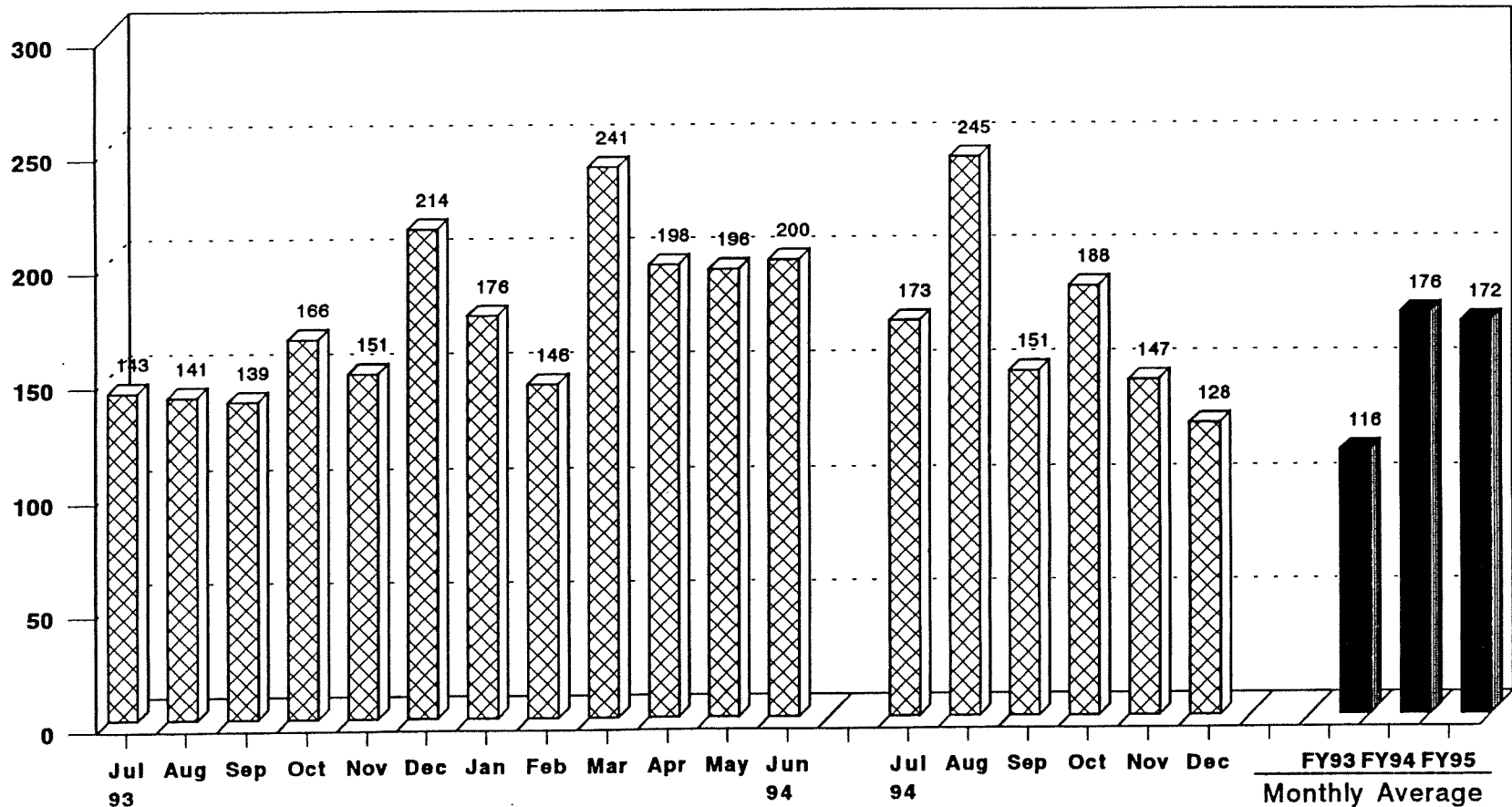
All Admissions	■	397	396	387	382	319	421	374	308	499	413	411	426	395	509	371	431	345	373
Court Commitments	▼	211	228	238	211	159	203	197	159	256	213	210	224	186	239	202	228	192	238
Condition Violators*	▲	143	141	139	166	151	214	176	146	241	198	196	200	173	245	151	188	147	128
Other Admissions	◆	43	27	10	5	9	4	1	3	2	2	5	2	36	25	18	15	6	7

HG3 Chart BF14AA1

\*Condition violators\* include those returned to prison for violation of the conditions of release (no new felony sentences involved).

# Kansas Department of Corrections

## Number of Return Admissions for Condition Violations by Month: FY 1994 and FY 1995 To-date (Through December, 1994 -- Month 6 of FY 1995)\*



\*Total number of admissions for violation of the conditions of release (no new sentence).





**KDOC Admissions of Offenders Sentenced under Guidelines  
July 1, 1993 through December 31, 1994  
Drug Offenses**

House Judiciary  
1-12-95  
Attachment 3

Category →	A	B	C	D	E	F	G	H	I	Totals
<b>Severity Level ↓</b>	<b>3 + Person Felonies</b>	<b>2 Person Felonies</b>	<b>1 Person +1 Nonperson Felony</b>	<b>1 Person Felony</b>	<b>3 + Nonperson Felonies</b>	<b>2 Nonperson Felonies</b>	<b>1 Nonperson Felony</b>	<b>2 + Misdemeanors</b>	<b>1 Misdemeanor No Record</b>	
<b>I</b>						1	1			2
<b>II</b>	1	1	4	3	2	2	4	4	9	30
<b>III</b>	1	3	6	6	5	8	20	19	66	134
<b>IV</b>	5	4	7	7	14	9	8	9	12	75
<b>Totals</b>	7	8	17	16	21	20	33	32	87	241

LEGEND
Presumptive Probation
Presumptive Imprisonment

**KDOC Admissions of Offenders Sentenced under Guidelines  
July 1, 1993 through December 31, 1994  
Non-Drug Offenses**

32

Category →	A	B	C	D	E	F	G	H	I	Totals
Severity Level ↓	3 + Person Felonies	2 Person Felonies	1 Person + 1 Nonperson Felony	1 Person Felony	3 + Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2 + Misdemeanors	1 Misdemeanor No Record	
I	1		2	1	1	1		2	5	13
II	2	1	3		1	3	2	3	20	35
III	1	6	4	6	3		4	12	40	76
IV	1	4	1	3	1		3	2	13	28
V	1	4	11	11	3	10	8	9	46	103
VI	1	2	2	3	2		4	3	6	23
VII	12	12	14	6	11	11	9	9	17	101
VIII	3	4	5	3	8	2	13	7	7	52
IX	14	17	18	10	17	4	16	15	22	133
X	3	5	5	2	3	3	3	2	1	27
<b>Totals</b>	<b>39</b>	<b>55</b>	<b>65</b>	<b>45</b>	<b>50</b>	<b>34</b>	<b>62</b>	<b>64</b>	<b>177</b>	<b>591</b>

<b>LEGEND</b>
Presumptive Probation
Presumptive Imprisonment

Note: During this period there were also eight admissions for off-grid crimes.

## **Evaluation of the 90-day Period of Revocation for Violation of Postrelease Supervision Conditions**

The Sentencing Guidelines Act provides that, upon completion of the prison portion of the sentence imposed, the offender shall be released to serve a term of postrelease supervision plus the amount of good time earned and retained while imprisoned. For persons convicted of nondrug severity levels 1 through 6 and drug severity levels 1 through 3 the period of postrelease supervision is 24 months. For those convicted of a nondrug severity level 7 through 10 and drug severity level 4, the prescribed period of postrelease supervision is 12 months.

Under laws in effect prior to the Sentencing Guidelines Act, the length of time an offender could serve in prison for violating the conditions of supervision was determined by the KPB but could be up to the conditional release date or maximum sentence expiration date. Under the Sentencing Guidelines Act, the length of time a condition violator serves is determined by the KPB. However, the period may not exceed 90 days from the final revocation hearing. If there has been a new misdemeanor or felony conviction, the condition violator must serve the remaining balance of the postrelease supervision period in prison, including the amount of good time which had been earned prior to release.

More than 2100 offenders have been released under the retroactive provision of the Sentencing Guidelines Act, with the majority occurring within the first year of its effective date. All of these offenders were placed on postrelease supervision status. The initial decrease in facility populations and corresponding increase in the number of offenders on post-incarceration supervision status was followed by an increased number of offenders being returned to prison for violating the conditions of supervision. Early on, some corrections officials expressed concern that limiting the period of incarceration for those returned to prison for violating the conditions of their release to no more than 90 days would be problematic. It was the opinion of staff that 90 days was not long enough to serve as a deterrent to "condition violating behavior" and that, upon their return to prison, such offenders would not be deterred from acting out because they would be released again in no more than 90 days, regardless of their behavior. Predictions were made about possible changes in offender behavior and strong concerns were expressed about staff safety.

The Department conducted a study to determine whether there is a basis for amendment to the provisions of the Sentencing Guidelines Act pertaining to the period of postrelease supervision and the 90-day incarceration period upon revocation. The primary research questions addressed were:

- 1) Do offenders released pursuant to Sentencing Guidelines differ from those released pursuant to the previous law in ways other than sentence structure?
- 2) Is the increase in the number of condition violators proportionate with the increased number of offenders released to post-incarceration supervision status?
- 3) Do condition violators returned to prison for a maximum of 90 days pursuant to the Sentencing Guidelines Act present more of a management problem than condition violators of an earlier time period and law?

The major findings of the study were:

- Compared to those released from prison via parole during the year preceding implementation of the Sentencing Guidelines Act and those release via parole during the first year following implementation, the group of offenders released pursuant to the retroactive provision of the Act:
  - Were slightly younger on the average at the time of the first release of the time frame;
  - Contained proportionately fewer non-whites and proportionately more whites;
  - Contained proportionately fewer offenders with person crimes and proportionately more with non-person crimes.
- The differences among the three release groups are at least partially attributable to a "selection" process whereby younger offenders with less criminal history, as well as those offenders with non-person crimes are more likely to be included in the Retro Group.
- There is evidence that the difference in racial/ethnic composition of the release groups is related to the type of offense, non-whites being more heavily represented in the person offense category.
- The release groups did not differ in gender composition.
- Of the three primary comparison groups, the group released via parole during the year preceding the implementation of Sentencing Guidelines had proportionately fewest condition violator returns and the group released pursuant the retroactive provision of the Act had the most for the first release. For the second release during the study period, those released via parole in the year preceding implementation still had the fewest, but those released via parole in the year following implementation had the most.
- There is a significant difference with regard to the respective proportions of the in-state and out-of-state populations that are revoked. The proportion revoked is higher among those supervised in-state.
  - There was 1 return for every 8.7 ADP in the out-of-state group compared to 1 return for every 2.9 ADP in the in-state group.
- Several explanations to the study finding that the rate of revocation is higher for in-state cases than it is for out-of-state cases are possible:
  - Some other states have more community sanctions for offenders available in lieu of revocation.
  - Some other states place less emphasis on public safety and accountability in the supervision of offenders than Kansas.
  - Before Kansas offenders are accepted for supervision by other states, they must develop adequate residence and employment plans and possess strong

desire to reside in the other states.

- Kansas does not have standardized criteria for the assignment of sanctions and relies upon individual officer discretion, which varies among parole officers.
- The data, to some degree, support the staff perception that offenders returned to prison from post-incarceration supervision status since the implementation of Sentencing Guidelines Act, especially those released pursuant to the retroactive provision of the Act, are more of a management problem than offenders of an earlier period.
  - Although there are some behavioral differences between the release groups, the differences do not seem as pronounced as staff had anticipated or might perceive.
  - Some of the difference between the groups could be the result of the conscious decision on the part of the Department to manage those who return to prison from post-incarceration supervision differently (e.g., concentrated at one facility location, more austere environment, fewer privileges, increased use of segregation).
- It appears that there is a moderate degree of anxiety among staff due to the implementation of the Sentencing Guidelines Act.
  - Additional training with more focus on the concept of determinate sentencing would benefit all staff.
- There is a very strong perception among staff (i.e., facility and parole services alike) that the provision of the Act that limits the period of incarceration for those who violate the conditions of release to no more than 90 days is ineffective.
  - Staff feel it does not deter the condition violating behavior of offenders on post-incarceration supervision status nor does it serve as a deterrent to acting out behavior among those returned to prison for violating the conditions of release.
  - The predominate and recurring theme throughout the group discussions was that the 90-day period was too short.
  - In the opinion of KDOC staff, the prescribed 90-day limit on the period of incarceration for condition violators would be more effective if the time spent incarcerated was not credited toward the period of postrelease supervision. Any time spent in prison for violating the conditions of release should be "dead time" (i.e., not credited toward the period of post-incarceration supervision).
- If a wider range of sanctions was available, they likely would be used by parole officers in lieu of revocation.

Based upon the information in the study, the Department will continue to consider the expansion of intermediate sanctions, development of revocation guidelines, possible use of return to custody facilities, and other options.

**KANSAS DEPARTMENT OF CORRECTIONS**  
**Offender Fees - Implementation Status**  
**January 12, 1995**

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The Kansas Administrative Regulation which allows the Department of Corrections to collect certain fees from offenders was published in the November 17, 1994 edition of *The Kansas Register*, and became effective January 3, 1995. The Department is currently in the process of finalizing the policies and procedures which will be used to collect these fees from offenders during their incarceration and while under supervision of parole staff. The Department has requested approval for assessment of these fees for several years, and statutory authorization occurred during the 1994 Legislative Session.

The regulation allows the Department to collect:

- one dollar per month, not to exceed \$12 per year, from each inmate, as a fee for administration of the inmate trust account. All funds received under this provision will be paid on a quarterly basis to the Crime Victim's Compensation Fund;
- two dollars for each primary visit to an institutional sick call. A primary visit is the initial visit for a specific medical complaint or condition. Inmates will not be charged for medical visits initiated by health care or correctional staff, and no inmate will be refused medical treatment for an inability to pay the fee. In the event an inmate has insufficient funds to cover the medical fee, the fee will be collected as soon as the inmate has sufficient funds to cover the fee. Funds received under this provision will be used to offset a portion of the cost of the medical service contract;
- a fee from all offenders for each urinalysis test which produces a positive result for an illegal substance. The amount of the fee shall be adjusted periodically to reflect the actual cost of administering such tests, including staff participation; and,
- a supervision fee of up to \$25 per month from each offender under parole, post-release, conditional release, or interstate parole or probation supervision. Payment of this fee will be a condition of supervision, although the Department will have a provision that exempts indigent offenders from paying this fee. A portion of the fee will be paid to the designated collection agency, twenty-five percent of the remainder will be paid at least quarterly to the Crime Victim's Compensation Fund, and the remainder of the fee will be used to obtain supervision services, including, but not limited to electronic monitoring, drug screening, and surveillance.

The inmate fees will be implemented beginning January 15, 1995 and the supervision fees will be implemented in the Spring of 1995.

## JUVENILE DETENTION IN KANSAS

Traditionally and by law, the construction and operation of juvenile detention facilities has been a function of county governments in Kansas. Under this system Johnson, Reno, Saline, Sedgwick, Shawnee and Wyandotte Counties built and operated their own facilities, and other counties relied upon the use of adult jails and lockups for incarcerating juveniles.

During the 1970s and 1980s there was considerable concern expressed by juvenile justice professionals, the federal courts and Congress that the placement of juveniles in adult facilities jeopardized the well-being of juveniles, subjecting them to the consequences of abuse at the hands of adult offenders, and denying them access to education, recreation, professional counseling and other amenities. In 1980 Congress amended the Juvenile Justice and Delinquency Prevention Act (JJDPA) to require participating states to remove juveniles from adult jails and lockups. Kansas had been a participating state since 1978 when the Kansas juvenile codes had been rewritten in part to bring the state into compliance with the other provisions of the JJDPA.

Passage of the federal amendments to the Act lead to a decade long discussion in Kansas among the social service agency staff, the courts, law enforcement, county governments, and the executive and legislative branches of state government.

An initial attempt in 1985 to prohibit the holding of juveniles in Kansas adult jails failed in the legislature, largely because of the lack of alternatives to jails in most of the rural counties of the state. In response, the Advisory Commission on Juvenile Offender Programs and SRS initiated intake services, linked in most cases to court services, and the law enforcement attendant care system. The former was designed to screen juveniles prior to incarceration and thus led to drastic reductions in juveniles being incarcerated in adult jails in the counties where it was in operation. The latter was designed to provide law enforcement in rural counties with a 24 hour alternative placement for children in need of care and juvenile offenders with minor offenses. In addition, a public education campaign was conducted to inform judges, law enforcement, county commissions, and county attorneys of the potential harm to juveniles by their being co-mingled with adults and the liability faced by local officials should the practice continue.

In 1990, the Advisory Commission contracted with the Westridge Group to perform an extensive survey of the need for juvenile detention. The survey resulted in a report which recommended the division of the state into six regions, with five of the regions needing the construction of new beds and the sixth (South Central) based on the existing facility in Reno County. After discussion and public hearings, the Advisory Commission recommended to the Secretary of SRS that new regional facilities be constructed in Trego (Northwest), Finney (Southwest), Douglas (Northeast), Crawford (Southeast), and Geary (North Central) Counties. It further recommended that the state assist the host counties by providing 90% of the construction funding. The Secretary of SRS adopted the recommendations.

In the meantime, the legislature in the 1990 session considered and passed statutory changes which prohibited the holding of children in need of care in adult jails as of January 1, 1991, and prohibited jailing other juveniles effective January 1, 1993, with a one year extension to January 1, 1994 if the Attorney General judged that individual counties had adequate plans to bring them into compliance by that date. As companion measures, the legislature created the Juvenile Detention Facilities Capital Improvement Fund (JDFCIF) based on drivers' license fees, and the Juvenile Detention Facilities Fund (JDFF) based on a portion of the docket fees. The use of the former was restricted to construction or renovation and the use of the latter was to be used for those purposes or for detention center operational costs. The JDFCIF began receiving income on July 1, 1990 and the JDFF on January 1, 1991 (see attachment for status of funds). These funding measures provided the financial basis for the construction of five new regional facilities.

At this point a 15 month delay occurred while SRS, the host counties, the Association of Counties, the Advisory Committee, and the Kansas Development Finance Authority (KDFA) had extensive discussions about whether the individual counties or the state should issue bonds for the construction of the five new facilities. This impasse was resolved when it was determined that the KDFA would issue one consolidated bond under which the new facilities would be owned by KDFA and leased to the Secretary of SRS who in turn would sublease them to the host counties until the bond was paid off in 20 years. The bond debt service is to be paid from the receipts of the JDFCIF and the JDFF. The KDFA sold an \$8 million bond in December 1992.



In the meantime the Advisory Committee and SRS developed a contract with the host counties which established certain standards and requirements. The host counties undertook negotiations and implementation of interlocal agreements with the counties in each of the regions.

Construction began in some counties in the winter of 1992-93 with Trego County opening its facility in June 1993 and Geary County in January 1994. Various delays have occurred in Finney, Douglas and Crawford Counties, and it is now expected that those facilities will open sometime between August and October 1994.

Because of the delays in construction, the Advisory Committee recommended that funds from the JDFP be used to assist the counties without access to regional detention center beds by providing incentive grants and payments to existing detention centers and transportation services. The Secretary of SRS accepted the recommendation and it has been implemented.

David O'Brien  
March 17, 1994

THE JUVENILE DETENTION FACILITIES FUND

status: November 15, 1994

2,515,882	Balance 06/30/94
+729,792	Estimated Collections FY 1995 (\$60,816 per month)
<hr/>	
3,245,647	Total Available 06/30/95
-157,455	Balance Required for FY 1995 Rescue Plan Operations
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3,088,219	
-234,645	12/1/94 Debt Service Payment
-479,645	06/1/95 Debt Service Payment
<hr/>	
2,373,929	
-337,500	Operational Grants @ \$1,500 per bed to all Det Ctrs.
-684,375	Per Diem Increase of \$25 for SRS Placements: Estimated 75 beds x 365 days x \$25.
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1,352,054	
-558,000	Reno County Contract for Southcentral Regional Services for 10 years--12 Participating Counties
-166,000	Saline County Contract for Licensing Compliance--5 Beds
<hr/>	
628,054	
-208,000	ACJOP Renovation/Construction Reserve Recommendation-FY95
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420,045	
-350,000	FY 1996 Debt Retirement Reserve
<hr/>	
70,054	Balance 06/30/95

FY 1995 EXPENDITURE LIMITATION

It has been determined that the 1994 Legislature provided for a Limitation of \$719,290 to pay the debt service, but the "Super Conference Committee" directed that an expenditure limitation be requested from the Finance Council to cover other expenditures. The total of the on-going and proposed expenses for FY 1995 is \$2,825,620 and SRS is requesting an increase of \$2,106,330 in the expenditure limitation to bring the total to that amount.

FY 1996 AND BEYOND

The 1994 Legislature provided that beginning on July 1, 1995 the Juvenile Detention Facilities Fund receive additional funds from the Gaming Revenues. It is estimated that the total annual collections will be \$3,106,330 (\$2,500,000 from Gaming Revenues and \$729,792 from the Docket and Drivers License Fees). SRS is currently discussing the use of these funds with the counties with detention centers, the detention regional advisory boards, the Kansas Association of Counties, the Advisory Committee on Juvenile Offender Programs, and will continue those discussions with the 1995 Legislature.

## SHORT TERM JDFF POLICIES ADOPTED BY ACJOP & SRS

1. Continue development of Reno County as the host county for the South-Central Region.
2. Support Saline County's renovation efforts as a means to address their licensing issues.
3. Establish a grant program and allocate the funds currently available in the juvenile detention facilities fund as follows;
  - a. No funds shall be used for construction of new beds until all of the regional facilities are open and all facilities are in compliance with the statutory detention criteria.
  - b. Twenty five percent of the JDFF balance will be allocated for capital improvement. Renovation and remodeling projects must be related to complying with state licensing standards and/or achieving ACA standards. State participation in renovation and remodeling projects will be limited to 2/3 of the total cost with a cap of \$250,000 per site.
  - c. Seventy five percent of the JDFF balance will be allocated for operational costs. Grants will be paid to the host counties, and participating counties in the region shall receive some benefit of the allocation, i.e. reduced per diem rate.

### Long Term JDFF Recommendations

1. Financial and program audits should be conducted in all juvenile detention facilities.
2. The feasibility of combining the SRS juvenile offender per diem allocation into the juvenile detention facilities fund should be explored. Also, the adequacy of the state per diem rate should be evaluated.
3. A strategy for utilizing the state gaming revenue must be developed.

9/94