

Approved: 5-2-97
Date

MINUTES OF THE HOUSE SELECT COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE.

The meeting was called to order by Chairperson Joe Kejr at 10:30 a.m. on APRIL 22, 1997 in Room 522-S of the Capitol.

All members were present except: Representative Andrew Howell, Excused
Representative Phill Kline, Excused

Committee staff present: Stuart Little, Legislative Research Department
Tricia Pierron, Legislative Research Department
Jerry Donaldson, Legislative Research Department
Jill Wolters, Revisor of Statutes
Lynn Workman, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Stuart Little, Legislative Research Department provided information on the Department of Corrections Capital Improvements comparison which includes the Governor's budget recommendation and the Senate and House Select position (Attachment # 1) Discussion followed on the comparison.

Secretary of Corrections, Charles Simmons, handed out information from responses he had received from 16 Community Correction Centers in Kansas regarding a Mobile Facility (Attachment # 2) Secretary of Corrections also stated that he had received information on the Federal Crime Bill Grant and it actually is going to be \$357,000. more than estimated so the recommendation from the Governor will be to reduce the amount of additional state funds that will be necessary by the \$357,000 which would put the total cost of the Department of Corrections project at \$8,485,000.00.

Also handed out was information from Barbara Tombs of the Kansas Sentencing Commission providing information on the Conditional Violators for FY 1995 & 1996. (Attachment # 3)

Tricia Pierron, Legislative Research Department, provided the Juvenile Justice Authority Governor's Budget for FY 1998. Some discussion followed. (Attachment # 4).

After a recess, the Department of Corrections' Capital Improvement Comparison was again discussed. (Attachment # 1) The discussion was on the immediate need for beds at the Norton and Labette Co facilities, 120 Day Call Back, Technical Violators, Consolidation of Field Services, the 10 year Master Plan which includes state expansion, private expansion and community corrections. Stuart Little of Legislative Research was ask to put some new figures together for tomorrow's meeting in reference to some of the details talked about in the discussion.

Also Jill Wolters of the Revisors office is to put together the information for the Proposed Substitute for Senate Bill No. 363 to bring to tomorrows meeting stating that The Joint Committee on Corrections & Juvenile Justice oversight shall develop and adopt a 10 year corrections master plan to guide the development and expansion of correctional programs and facilities.

Representative David Adkins provided the committee with information that would be provided to the Joint Committee on State Building Construction regarding the Juvenile Justice Authority FY 1988. (Attachment # 5), and the Joint Committee on Computers & Telecommunications (Attachment # 5). Discussion followed.

Laura Howard of the Department of Social and Rehabilitation Services supplied the committee with information updating the CETU (Comprehensive Evaluation and Treatment Unit) closing. The Department believes its decision to close CETU was a sound decision. They believe the closure gives the opportunity to enhance the mental health capacity at the youth centers. (Attachment # 6) Questions and discussion followed regarding the closure of CETU.

CONTINUATION SHEET

MINUTES OF THE HOUSE SELECT COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE,
Room 522-S Statehouse, at 10:30 a.m. on April 22, 1997.

Tricia Pierron of the Legislative Research Department supplied the committee with figures requested by Representative Ed McKechnie which shows the amount of funds spent on CETU for FY 1995, 1996, 1997 and FY 1998. (Attachment # 7)

Chairman Kejr ask the committee to review the JJA Governor's Budget (Attachment # 4) Tricia Pierron of Legislative Services was ask to make the changes that the committee discussed and bring it back to the committee tomorrow for more discussion.

Chairman Kejr announced that tomorrow morning the committee would work the adult corrections and in the afternoon work the juvenile.

The next meeting is scheduled for April 23, 1997.

SELECT COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE COMMITTEE GUEST LIST

DATE: April 22

NAME	REPRESENTING
John Peterson	New Century
Ellen Peckharing	Assoc. of Cm + Cd
Laura Howard	SRS - CFS
Tom Bruno	Allen & Assoc.
Doug IRVIN	O-LA
W. Sanders	Gov office
Nelson Krueger	Leading Edge, Ltd.
Leigh Anne Hutton	Division of the Budget
Roger Endell	Correctional System Services
Charles Simmons	Dept. of Corrections
R. Lipssey	AF
R. Myers	Top Cap - journal
Bob	RSC
John Hass	HSM

Department of Corrections' Capital Improvements Comparison
(Includes Governor's Budget Recommendation and House Select Committee Positions)

<u>Project</u>	<u>Gov. Budget Rec.</u>	<u>Senate Position</u>	<u>House Select Position</u>
1. Norton, El Dorado, Hutchinson 550 bed expansion and SGF planning funds	\$757,466 SGF planning funds	\$676,956 SGF planning funds for alternate prison expansion plan at Norton and Hutchinson with RFP proviso on privatization	\$364,586 SGF planning for Norton
2. CIBF planning funds	\$176,010 CIBF for planning	\$176,010 CIBF for RFP and alternate project planning	\$176,010 CIBF mobile facility planning
3. Norton Correctional Facility 200 bed medium custody	\$6,202,450 total cost, \$31,012 per bed; \$5,837,864 debt financed	\$6,202,450 total cost, \$31,012 per bed; \$5,837,864 debt financed	\$6,202,450 total cost, \$31,012 per bed; \$4,700,000 federal funds; \$1,137,864 SGF balance due
4. Hutchinson Correctional Facility 200 bed medium custody	\$7,112,715 total cost; \$35,564 per bed; \$6,700,345 debt financed	\$7,112,715 total cost; \$35,564 per bed; \$6,700,345 debt financed	Conduct RFP for private company competition
5. El Dorado Correctional Facility, 150 bed minimum custody	\$2,872,452 total cost; \$19,150 per bed; \$2,715,932 debt financed	Not recommended	Not recommended
6. Hutchinson 32 bed South Unit addition	Not recommended	\$227,497 total cost; CIBF funded	\$227,497 total cost; CIBF funded
7. Labette Correctional Conservation Camp expansion	Not recommended	100 bed expansion, \$900,000 federal funds and local match for capital improvements	100 bed expansion, opened to RFP; \$900,000 federal funds and local match for capital improvements
8. Debt service funding shift	No recommendation	Shift \$750,000 SGF funding for debt service to \$750,000 CIBF	Not recommended
FUNDING	SGF 757,466 CIBF 176,010 <u>Debt 15,254,141</u> Total 16,187,617	SGF 676,956 CIBF 403,507 Federal 5,500,000 Local 100,000 <u>Debt 7,838,209</u> Total 14,518,672 (excl. debt shift)	SGF 1,502,450 CIBF 403,507 Federal 5,500,000 <u>Local 100,000</u> Total 7,505,957

Select Committee on Correction
+ Juvenile Justice
4-22-97
Attachment #1

Governor's Original Prison Expansion Plan

Project	Beds	Custody level	Planning Costs	Construction Costs	Total Const. Costs	Const. Costs Per Bed	Operating Costs	Additional FTE
Hutchinson Correctional Facility*	200	medium	\$364,586	\$5,837,864	\$6,202,450	\$31,012	\$2,047,000	30
Hutchinson Correctional Facility*	200	medium	\$412,370	\$6,700,345	\$7,112,715	\$35,564	\$1,933,000	27
El Dorado Correctional Facility	150	minimum	\$156,520	\$2,715,932	\$2,872,452	\$19,150	\$1,960,000	29
Subtotal	550		\$933,476	\$15,254,141	\$16,187,617	\$29,432	\$5,940,000	86
Hutchinson Correctional Facility Expansion at South Unit.**	32	minimum			\$227,497	\$7,109		
Subtotal	582				\$16,415,114	\$28,205		

FUNDING FOR CONSTRUCTION: \$16,187,617 = \$757,466 SGF planning; \$176,010 CIBF planning; \$15,254,141 debt finance.

* Includes construction of industries and maintenance buildings.

** Addition made by Joint Committee on State Building Construction.

Alternate Prison Expansion Plan (Senate Position)

A proviso has been added to require the KDOC to complete a request for proposal from private prison contractors to construct a 400-bed medium custody male unit. The Joint Committee on State Building Construction will review the KDOC recommendation and the State Finance Council must release planning funds and bonding authority.

Project	Beds	Custody level	Planning Costs	Construction Costs	Total Const. Costs	Const. Costs Per Bed	Operating Costs*	Additional FTE
Norton Correctional Facility**	200	medium	\$364,586	\$5,837,864	\$6,202,450	\$31,012	\$2,047,000	30
Hutchinson Correctional Facility**	200	medium	\$412,370	\$6,700,345	\$7,112,715	\$35,564	\$1,933,000	27
Hutchinson Correctional Facility Expansion at South Unit.***	32	minimum	\$0	\$227,497	\$227,497	\$7,109	\$215,000	4
Labette Correctional Conservation Camp Expansion****	100	N/A		\$900,000	\$900,000	\$9,000	\$700,000	N/A
Subtotal	532		\$776,956	\$13,665,706	\$14,442,662	\$27,148	\$4,895,000	61

FUNDING FOR CONSTRUCTION: \$14,442,662 = \$676,956 SGF planning; \$100,000 CIBF planning; \$4,700,000 federal funds; \$227,497 CIBF for HCF; \$900,000 federal funds and a 10 percent local match for boot camp expansion; \$7,838,209 debt financed. Excludes \$76,010 CIBF funding for RFP.

* Includes one time startup costs of \$304,000.

** Includes construction of industries and maintenance buildings.

*** Addition also recommended by Joint Committee on State Building Construction.

**** Construction costs of estimated \$900,000 would come from federal funds for local units and a 10 percent local match. Labette beds are not custody-level beds. The operating costs would be in addition to the total contact payment made to Labette County. No additional FTE would be added since a private contractor operates the facility, but the camp operator reports that at least 5.0 new employees will be hired.

Addition recommended by Joint Committee on State Building Construction.

House Select Committee on Corrections and Juvenile Justice Position

House Select Committee on Corrections and Juvenile Justice recommends the following capital improvements.

Subject	Beds	Custody level	Planning Costs	Construction Costs	Total Const. Costs	Const. Costs Per Bed	Operating Costs*	Additional FTE
Norton Correctional Facility**	200	medium	\$364,586	\$5,837,864	\$6,202,450	\$31,012	\$2,047,000	30
New 200-bed Unit at undetermined location***		medium						
Hutchinson Correctional Facility Expansion at South Unit.****	32	minimum	\$0	\$227,497	\$227,497	\$7,109	\$215,000	4
Mobile facility planning			[176,010]					
Boot Camp Expansion*****	100	N/A		\$900,000	\$900,000	\$9,000	\$700,000	N/A
Subtotal *****	332		\$364,586	\$6,965,361	\$7,329,947	\$22,078	\$2,962,000	34

FUNDING FOR CONSTRUCTION: \$7,329,947 = \$364,586 SGF planning (Norton); \$4,700,000 federal funds (Norton); \$1,137,864 SGF (Norton); \$227,497 CIBF for HCF; \$900,000 federal funds and local match for boot camp expansion; excludes \$176,010 CIBF funds for mobile facility planning.

* Includes one time startup costs of \$ 144,000 at Norton and estimated costs for boot camp.

** Includes construction of industries and maintenance building.

*** House recommends RFP for private companies to bid on 200 medium custody male unit.

**** Addition also recommended by Joint Committee on State Building Construction.

***** House Select Committee recommends a request for proposal to select location and operation of an alternative sanctions boot camp facility. Construction funds estimated at \$900,000 would come from federal funds and a 10 percent local match. Boot camp expansion beds are not custody-level beds. The operating costs are an estimated calculation if Labette Correctional Conservation Camp received the grant.

Addition recommended by the Joint Building Committee.

***** Excludes cost and beds for 200 bed unit at undetermined location and planning funds for mobile facility.

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Project or Proposal

Funding

- | | |
|---|---|
| 1. Norton Correctional Facility. Total construction cost of \$6,202,450 for 200 medium custody inmates. | 1. \$364,586 SGF planning funds; \$4,700,000 federal crime bill funds; \$1,137,864 SGF to fund remainder of costs |
| 2. Request for proposal from private companies for 200 bed medium custody male correctional facility. | 2. RFP expenses from existing KDOC budget. |
| 3. Operation and/or expansion of alternative sanction boot camp for eligible male and female offenders. 100 beds. | 3. \$600,000 – \$900,000 construction expenditures from federal crime bill funds for local units. |
| 4. Inmate visitor center operating expenditures paid from the inmate benefit fund. Study expansion of programs to El Dorado and Winfield | 4. \$119,029 from DOC IBF for administration expenditures, Norton and Ellsworth facilities; \$47,388 from Hutchinson IBF; \$46,657 from Lansing IBF; estimated oper. expend. for each new centers, \$45,000-\$65,000. |
| 5. Mobile facility planning. Continue preparations to implement concept, possibly affiliate with correctional facility or community corrections' organization based on discussions of needs with local organizations. | 5. \$176,010 CIBF FY 1997 carryover funds. |
| 6. Hutchinson Correctional Facility, construction of 32-bed minimum custody wing at the South Unit. | 6. \$227,497 CIBF FY 1998. |
| 7. Amend K.S.A. 75-5290 et seq. to increase community corrections association input in budgetary decision making. Explore options to expand community correctional organization programs. | 7. None |
| 8. Create master plan for juvenile and adult correctional needs. Access and address the full continuum of programs and services from prevention, aftercare, alternative sanctions, to incarceration to determine areas for expansion or alteration. | 8. None |
| 9. Reinstated 120-day call back. | 9. None |
| 10. Reorganization Kansas Sentencing Commission. | 10. None |

Total Funding (Corrected):

SGF = \$1,502,450
CIBF = \$403,507
IBF = \$213,074
federal = \$5,300,000-5,600,000

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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

Bill Graves
Governor

Charles E. Simmons
Secretary

MEMORANDUM

Date: April 22, 1997
To: Select Committee on Corrections & Juvenile Justice
From: Charles E. Simmons, Secretary
Subject: Mobile Facility

As I indicated I would, I polled all community corrections programs regarding the proposal for a mobile facility. The responses I received are enclosed for your review.

CES:dja
Enclosures

Southeast Kansas Community Corrections

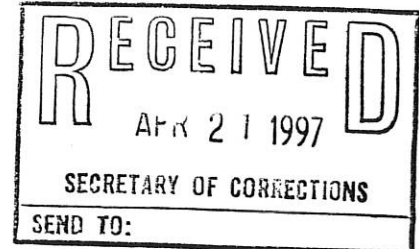
(11TH & 31ST JUDICIAL DISTRICTS)

COUNTIES:

ALLEN
CHEROKEE
CRAWFORD
LABETTE
NEOSHO
WILSON
WOODSON

April 18, 1997

Charles E. Simmons, Secretary
Kansas Dept. of Corrections
Landon State Office Building
900 S.W. Jackson
Topeka, Kansas 66612-1284



Dear Mr. Simmons:

Your recent letter proposing to establish a mobile facility to divert probation violators from incarceration in the state's correctional facilities was received with much concern and apprehension. The concept of a mobile facility is one which must be met with great attention and planning. I have given the idea a good deal of thought and have even worked through a few "what-if" scenarios. After much consideration I must say that I believe such an endeavor, most appropriately, would require the expertise of the Department of Corrections in planning and implementation of any facility designed to "detain" individual offenders. Community Corrections personnel simply lack the knowledge and experience in running corrections based facilities.

Another concern of mine rests in the notion that "probation violators" should not be incarcerated in the states correctional facilities. Probation violators from community corrections are convicted felons who have demonstrated through their behavior that they are not going to abide by supervision standards and/or refrain from continued criminal behavior. The best indicator/predictor of ones future behavior, is their past behavior. These "probation violators" have demonstrated through their behavior, on an on-going basis, that they are not willing to cooperate with community supervision and are engaging in behaviors which constitute a danger to themselves and the public at large.

Please do not regard these concerns as an unwilling or uncooperative attitude, they are simply concerns. Our community corrections program is here to serve the community and is willing to do whatever the legislators decide is appropriate and necessary.

Should you have additional questions and/or concerns please do not hesitate to contact me.

Sincerely yours, *2-2*
Peggy Lero
Peggy Lero, Director

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Pittsburg, KS 66762
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FAX (316) 235-1215

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Baxter Springs, KS 66713
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FAX (316) 856-3728

□ 111 South Street
P.O. Box 802
Iola, KS 66749
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□ 107 S. 27th
P.O. Box 547
Parsons, KS 67357
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FAX (316) 421-8433

□ 205 W. Main
P.O. Box 433
Chanute, KS 66720
(316) 431-4158
FAX (316) 431-6560

Miami *
Linn *
Bourbon *

Office of Community Corrections

211 N. Silver

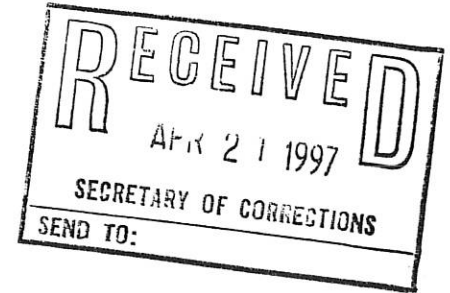
Paola, Ks.
66071

(913) 294-2997
FAX (913) 294-3028

April 18, 1997

"Serving the 6th Judicial District"

Mr. Charles E. Simmons
Secretary of Corrections
Landon State Office Bldg.
900 S.W. Jackson, Suite 400-N
Topeka, Kansas 66612-1284



Dear Mr. Secretary:

Reference your letter concerning the House Select Committee's consideration of a mobile facility to divert probation violators from incarceration in the state's correctional facilities.

Unfortunately I have not had an opportunity to thoroughly analyze the proposal as I have been involved in meetings on CJIS and Risk/Needs validation most of this week. However, I will comment that if such a mobile facility were to actually be implemented, I would not favor Community Corrections administering such a program. The probation violators that we have seen are usually offenders who have exhausted all available local options and have continued to violate conditions of probation, if not actual law violations. These offenders many times have problems with substance abuse and frequently continue to abuse alcohol and/or drugs in spite of the fact they have a pending violation hearing. We have found that many times these offenders are very unstable and volatile during this period of time and actually represent an increased risk to the community and public safety. Just because they are considered a "technical violator" does not mean they are any lower risk. It frequently just means they have not got caught committing new law violations. Many times, too, the technical violations of positive drug screens, for example, could be a new conviction for possession of illegal drugs or other similar crimes if they were actually caught abusing the drugs.

Other concerns I would have are that (1) the administration of such a program is better placed with Department of Corrections as it really is an institutional function, not a community-based function in which Community Corrections should participate, (2) it might be very difficult to staff for only eight months per year, (3) this approach in dealing with prison overcrowding appears to be just a "quick-fix" solution to a serious problem

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which potentially could increase the risk and harm to the public, (4) most of the probation violators we see really need to address their serious problems in a secure setting, not a tent city.

Again, while I have not had the opportunity to give this concept a full examination, I can tell you at this point that I have serious concerns about the potential risk to the public that might result from such an approach and that there are other pragmatic concerns as well. Because of these concerns, I do not favor the concept, in general, and certainly do not feel it appropriate for Community Corrections to administer such a program.

Thank you very much for the opportunity to express my views on this issue. Good luck to the House Select Committee in dealing with these and other difficult issues at this late date.

Respectfully submitted,



Gene Bonham, Jr.
Director

ne

cc: file

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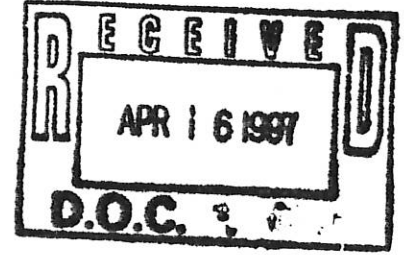
LY
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REPLY
SATELLITE OFFICE
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State of Kansas
TWENTY-FOURTH JUDICIAL DISTRICT
COMMUNITY CORRECTIONS

April 15, 1997



Charles E. Simmons, Secretary
Department of Corrections
900 SW Jackson, Suite 400-N
Topeka, KS 66612-1284

RE: MOBILE FACILITY

Dear Mr. Simmons:

I am in receipt of your letter dated April 11, 1997 concerning the establishment of a mobile facility to divert probation violators from incarceration in the state's correctional facilities. With the information supplied, I feel that the proposal has definite possibilities.

I visited with the Administrative District Judge for the 24th Judicial District, J. Byron Meeks, who is also the Community Corrections Advisory Board Chairman, and with Kathy Bowman, a Pawnee County Commissioner and financial officer for the Community Corrections Advisory Board. The consensus was that, although we need more details and would need to involve other concerned people, we think the 24th Judicial District Community Corrections could administer such a program. It was felt that an interim sanction such as this would be very beneficial in the rehabilitation process and the following comments are made:

1. If buildings such as Larned State Hospital could be utilized, the program could be utilized 12 months a year which would be more feasible for recruiting and retention of staff.
2. Agencies seem to have had a reluctance to send supervisors to supervise community service work projects and it is felt that a program of this type would be very popular in this area.
3. Locating the program in the 24th Judicial District would centralize it for Region 2 according to the map received.
4. This program could be enhanced by development of a ROPES program for participants. This program would develop self-esteem, skills for self-evaluation and setting and achieving goals and develop the ability to work with others to achieve these goals. This program would be very reality oriented and develop life skills.

Serving Edwards, Hodgeman, Lane, Ness, Pawnee and Rush Counties

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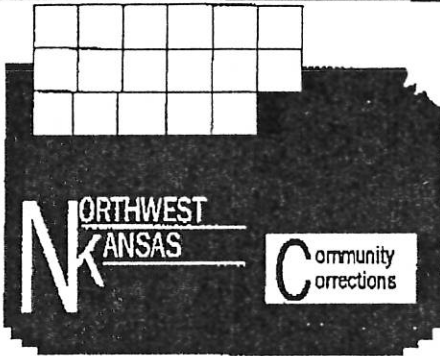
5. The ability to have an individual repeat the experience seems especially appealing; different levels could be set to allow for this.
6. It might be investigated to see if school buses could be contracted for transportation in off-hours.
7. The transporting of offenders by Community Corrections staff would need to be worked out as most Community Correction departments are not set up for transporting offenders.

Although we would need to know more details to go further, I would like to suggest the 24th Judicial District be used to run a pilot project for the western area. We feel that this program has great potential and we would like to be involved.

Sincerely,



Robert R. Ziemer
Director



1011 Fort
Hays, KS 67601
(913) 625-9192
Fax: (913)625-9194
Bob Leiker
Executive Director

April 17, 1997

Charles E. Simmons
Secretary of Corrections
Landon State Office Building
900 SW Jackson Suite 400-N
Topeka, KS 66612-1284

Dear Mr. Simmons:

I was quite excited and pleased to receive the concept proposal of work camps to be established in Kansas as we had just discussed similar issues during your recent trip to Hays last week. Northwest Kansas Community Corrections is interested in the concept of a work camp for the western region of Kansas.

I have met with several Northwest Kansas Community Corrections board members, community leaders, judges, economic development professionals, and other interested parties and there is an interest in establishing the facility within the Northwest Kansas Community Corrections district. The consensus and belief of those I have visited with support the concept of a step between probation and prison as another alternative sanction, that instills public safety and yet makes the offender accountable in a cost effective means of management. I feel that the Northwest Kansas Community Corrections seventeen county district is the most appropriate area due to our broad base geographics and is a viable choice within the western part of the state. There are many alternatives for possible housing in existing buildings or locations within this district for the start up of a new facility.

We feel there are many advantages to locating the work camp within the Northwest Kansas Community Corrections district. These are only a few:

1. NWKCC has an established advisory board in place consisting of judges, court personnel, and community leaders representing seventeen of the counties in Northwest Kansas and an excellent working relationship with other community corrections agencies and courts in the area shown on the map.

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April 17, 1997

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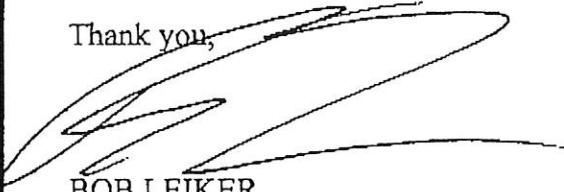
2. NWKCC has an established successful, experienced administration working with this target population. Using this administration can save dollars and avoid duplication of services.

3. There are many advantages to locating the work camp in a rural area concerning available land.

4. Offender resources are available and have been developed within this district for existing services, such as community service, outpatient drug treatment and mental health counseling.

In summary, the administration of Northwest Kansas Community Corrections supports the concept and believes this project is an excellent starting proposal to the development of a work camp and a cost effective means in managing conditional probation offenders. I look forward to presenting Northwest Kansas Community Corrections' views and logistics in a concept plan in the near future. We are willing and ready to begin the implementation of a planning grant, if you see fit, to investigate logistics and probable locations.

Thank you,



BOB LEIKER
Executive Director
NWKCC

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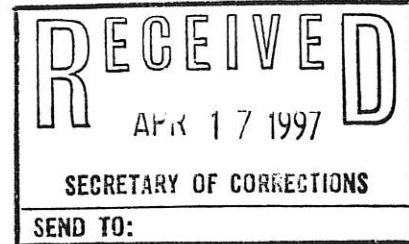
**COURT SERVICES
and
COMMUNITY CORRECTIONS
FIFTH JUDICIAL DISTRICT COURT
Lyon and Chase Counties**

Gary L. Marsh, Director
Peggy Bryan, Deputy
618 Commercial #B
Emporia, Kansas 66801-3902
(316) 341-3294
Fax No. (316) 341-3456

Merlin G. Wheeler, Administrative District Judge
John O. Sanderson, District Judge
W. Lee Fowler, District Judge
John R. Conklin, Magistrate Judge

April 16, 1997

Charles E. Simmons
Secretary of Corrections
Landon State Office Building
900 SW Jackson, Suite 400-N
Topeka, Kansas 66612-3317



Dear Secretary Simmons,

I am in receipt of your letter of April 11, 1997 pertaining to the proposal to establish a mobile facility to divert probation violators. After review of this, I had the opportunity to provide the information to the Judges of the District Court for the 5th Judicial District and to meet with them on this matter. They have asked that I offer the following consensus remarks.

This is not a program that should be operated by the community corrections programs, but rather by KDOC or law enforcement. The program should be a year round program as it makes little sense to revoke someone and then have them wait a few months to get into the program. If the program is to be a sanction for probation violations then there needs to be some immediacy to the action taken by the Court. Waiting four or more months makes little sense.

The Judges do not feel that there should be restriction placed on the ability of the Judges to revoke probation if the Court finds that the defendant has not been able to live up to the expectations. In this district most technical violators that were originally placed on probation to Court Services are placed in Community Corrections if technical violations are proven before they are sent to the Secretary of Corrections.

We would request that more consideration be given to money in community corrections programs to allow for more use of electronic monitoring, drug testing and treatment and other educational programs to help offenders live productively in the community. This district had a day reporting program at one time that was in our opinion successful, however, due to funding issues that program had to be cut. Day reporting, house arrest

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and residential programs when used in concert would allow the courts more sanction options.

Sincerely,



Gary L. Marsh

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South Central Kansas Community Corrections Agency

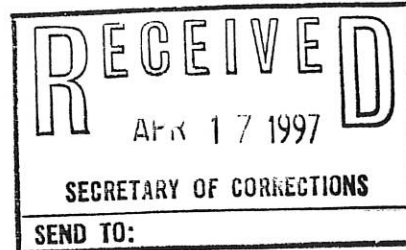
DAVID A. WILEY, Director

VICKIE MILLER-PENCE, Administrative Assistant

April 15, 1997

TEXAS ENERGIES BUILDING
111 E. FOURTH, #101
P.O. BOX 8643
PRATT, KANSAS 67124

Charles E. Simmons
Secretary of Corrections
Landon State Office Building
900 S.W. Jackson, Suite 400 - N
Topeka, Kansas 66612-1284



Dear Secretary Simmons:

In regards to your letter dated April 11, 1997, I would offer the following information and recommendations.

The concept of a short term work camp for conditional violators in lieu of incarceration in a Department of Corrections facility has merit. Many offenders that are revoked, due to conditional violations, need the one last opportunity to avoid prison and the contacts made therein.

The logistics of such an operations are enormous and to be implemented in the given time frame, indicates that action must begin soon. Our Pratt County Commissioners would be interested in learning more about the proposal.

The only other comment I have at this time is that I do not believe this type of camp could only be run for eight (8) months and then shut down each year. There are two (2) issues here that need to be addressed. First, letting offenders remain in their probation program for an extended time period, after being revoked, is not a workable situation. Second, the hiring and training of staff, for a less than a year job, would be extremely difficult.

In closing, I would like to thank you for the opportunity of having input into this matter and I appreciate and look forward to being kept informed of this matters progress.

Sincerely,

A handwritten signature in cursive script, appearing to read "D. Wiley".

David A. Wiley
S.C.K.C.C.A - Director

DAW/vmp
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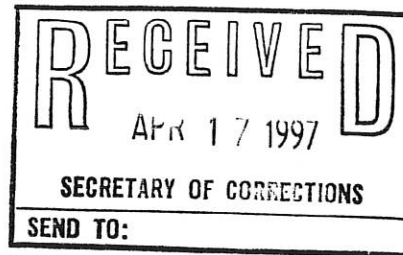
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Community Corrections

227 N. Santa Fe, Suite 202
Salina, KS 67401
913-826-6590
Fax 913-826-6595

April 16, 1997

Mr. Charles E. Simmons
Department of Corrections
Office of the Secretary
Landon State Office Building
900 S.W. Jackson Suite 400-N
Topeka, Kansas 66612-1284



Dear Secretary Simmons,

We have reviewed the proposed plan to establish a mobile facility to divert probation violators in lieu of incarceration and appreciate the opportunity to provide feedback to your office and the House Select Committee. This office submits the following questions to such a proposal:

- 1) Since the program is not geared to be in operation for a twelve month calendar year, will there be much savings to the State? What other options could be available to the sentencing court during the months the camps are not in operation? The report indicates that the community would need to retain these offenders but we question if this is appropriate or suitable for some offenders.
- 2) A current alternative to incarceration is the Labette Correctional Conservation Camp. There is an existing problem there in that offenders are not being accepted to the camp for "existing physical limitations or health problems". In several instances doctors in the community give approval for the offender to participate in the camp but the camp doctor, without seeing this offender, makes judgement that the offender is not physically able to participate. If acceptance into these camps will be dependant upon the same or similar criteria, the problem of alternative sentencing for many probation violators is still not solved.
- 3) Concerning location of these proposed camps, what role would County Commissioners\County Government play in determining the site of these proposed facilities and acceptance of Community Corrections to administer the camps?

The 12th and 28th Judicial District Community Corrections look forward to working with any new alternatives, for offenders and Case Managers, to incarceration.

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J-H

Sincerely,



Annie Grevas
Director



Mark Mitchell
Case Manager II



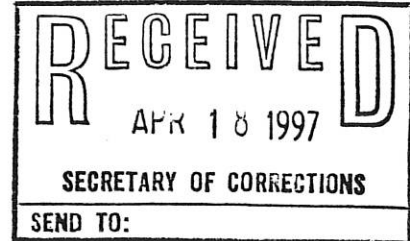
Louis Bradbury
DIRECTOR

Sumner County Community Corrections

P.O. Box 645 • Wellington, KS 67152
Phone 316-326-8959 or 316-326-8950
Fax 316-326-5576

April 17, 1997

Charles E. Simmons
Secretary of Corrections
Department of Corrections
Landon State Office Building
900 S.W. Jackson----Suite 400-N
Topeka, Kansas 66612-1284



Re: Proposal for Community Corrections supervision of Regional
Sanction facility.

Dear Secretary Simmons:

With the realization that any project of this nature will have a number of details or problems to be worked out; I would endorse the basic need and concept of facilities for the housing of technical violators. Arguments in favor of this project would revolve around issues such as: separation of technical violators from other more "hardened" inmates, lessening the overcrowding of current facilities, less expensive than current incarceration techniques, and more "control" retained by local programs of inmates sanction parameters.

Based on the previously mentioned arguments and probably numerous others; I would be in support of the basic idea of regional sanction facilities for technical violators. However, I would also mention a few issues of concern, such as: Housing of technical violators waiting to be committed to the regional facility (many county jails are already full and the question of who is to pay for the days in jail); transportation costs to and from the regional facility (especially the return to the community, when most Court Services/Community Corrections Programs do not have budgeted transportation funds or even secure vehicles for transportation); concern over uniformity across the state on length of stay and on uniform sanction policies; and security, training, policies of the facility itself (should existing KDOC standards be utilized or should new standards specifically for a facility of this type be developed).

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In summary, I would support this concept of regional sanction facilities; but would recognize that implementation of such a project would have it's share of problems. Community Corrections agencies have always appeared to me to be flexible and adaptable in the implementation of new and innovative ideas. While the area of trained guards and management of penal institutions is perhaps more in the area of the "institutional" side of KDOC; the willingness to plan and develop a project of this type is well within the abilities of Community Corrections personnel, if KDOC technical assistance and appropriate funding are made available.

Sincerely,

Louis Bradbury
Louis Bradbury
Director

dy
TB

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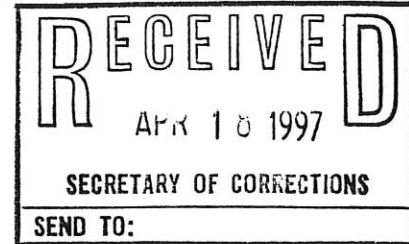


RENO COUNTY COMMUNITY CORRECTIONS

400 West 2nd
Suite B
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Phone: (316) 665-7042
Fax: (316) 665-8886

April 16, 1997

Charles E. Simmons
Secretary of Corrections
Department of Corrections
900 SW Jackson
Topeka, KS 66612



Subject: Mobile Correctional Facility for Probation Violators

Dear Mr. Secretary Simmons:

In reference to your letter dated April 11, 1997, I would offer the following comments. I would agree that there appears to be a high number of technical probation violators returned or sent to state prisons and correctional facilities. Being on the front line of this problem I can assure you almost every case of probation violators sent to state facilities from Reno County, are sent as a last resort. While we do not have any kind of formal sanction grid in operation we certainly utilize every possible alternative available to us prior to recommending incarceration. It has always been my personal philosophy that one of our primary missions is to keep the offender in the community as a contributing member and with his family.

After reviewing the proposal for the mobile correctional facility I can not say I am philosophically against such a proposal as I believe we are all seeking every creative alternative to incarceration in the state prisons. I am in favor in seeking alternatives to prison and possibly with further study this proposal could have merit. I feel I can speak for the Community Corrections Advisory Board and County Commission that Reno County Community Corrections is probably providing maximum services with current resources. Community Corrections personnel have traditionally been field oriented correctional professionals. I feel that if such a camp should become a reality they should probably be administered by highly trained prison professionals and not probation professionals. I believe that another alternative to a mobile correctional facility would be the expansion of the Community Corrections residential facilities. As you know, there are only two community corrections programs in the state that now have residential facilities, that being Johnson and Sedgwick County. Regional residential centers could provide an alternative to state prisons. Regional community corrections facilities could also be run twelve months a year. I realize this would probably result in increased spending but I

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Secretary Simmons
Page 2

believe it could provide a more reasonable solution for probation violators than a "prison tent city".

My community corrections career began in Sedgwick County, and I can tell you that at one point in time, Sedgwick County operated what was referred to as a 3/4 house. This consisted of a building with individualized apartments monitored 24 hours a day by community corrections staff. There were basic house rules to be followed and some structure, but not near the degree that you would find in your current residential facilities or work release programs. This type of operation would be a much more cost effective than a full fledged residential program such as Johnson and Sedgwick currently have.

If such a proposal should ever become reality, then I would recommend that Sedgwick County Community Corrections would be a logical choice, due to the fact that they have a lot more resources than the smaller community corrections programs west of Sedgwick.

I am not sure that this letter is exactly what you are requesting, but I hope that this will at least inform you my thoughts is regarding this matter. If further information is desired, please advise.

Sincerely,


Craig Daniels
Director

2-17
~~2-16~~

Administrative Office
City Hall, P.O. Box 11
Coffeyville, Kansas 67337
(316) 251-7531

Community Corrections

Montgomery & Chautauqua Counties, Kansas

Satellite Office
Courthouse, P.O. Box 846
Independence, Kansas 67301
(316) 330-1122

18 April 1997

Mr. Charles E. Simmons
Secretary of Corrections
LSOB 900 SW Jackson--Suite 400-N
Topeka, Ks. 66612-1284

Post-#	Fax Note	7671	Date	18 APR 97	# of pages	2
To	CHARLES E. SIMMONS		From	KURT SIMMONS		
Co./Dept.	Sec. of Corr. - KDOC		Co.	MO. Co. Comm. Corr.		
Phone #	913-296-3317		Phone #	316-251-7531		
Fax #	913-296-0759		Fax #	316-251-3538		

Dear Mr. Secretary:

I have written down some comments which I believe address the problems of technical probation violators.

WAYS TO ALLEVIATE PRISON CROWDING DUE TO TECHNICAL PROBATION VIOLATORS:

1. Instead of revoking technical violators from Court Services and imposing the original sentence, place them in Community Corrections for continued supervision.
2. Place more Parole technical violators in Community Corrections.
3. Adjust Community Corrections' average daily population (ADP) unit costs upward to allow for more funding in order to replace the cut back in contractual services.

The ADP unit costs have not been adjusted for inflation or higher costs of living over the years. Many programs, as has ours, have had to cut back or eliminate needed contractual services for drug counseling, mental health counseling, sex abuse counseling, etc.

Many of the offenders' probation violations frequently involve a need for service intervention by an appropriate service provider (e.g., substance abuse services).

By adjusting upward the ADP unit costs utilized by KDOC, these needed services could again be used to impact technical probation violators.

All of the above will impact KDOC admission dates. Some offenders may not have to be sent to prison. Others will have had their admission dates delayed, which has an impact on the amount of money utilized for housing inmates.

Charles E. Simmons
Page Two

4. Tent Cities. These, I believe, have the greatest potential for impacting the seemingly incorrigible, intractable, and noncompliant technical probation violator.

I am receptive to this concept if KDOC or a private contractor were to administer it.

I do not believe, however, that community corrections programs will be interested in administering these camps. I personally do not want to move our community corrections program from the realm of field services to one of institutions.

The first three ways listed to address technical probation violators may have an impact on those offenders who need intensive services or are still receptive to probation services but have simply had rule infractions. However, number four should have the most positive impact on those technical probation violators who need a punitive sanction to get their attention.

Repeated offender noncompliance needs to be addressed. The courts have historically sent these individuals to prison. However, a short term work camp in lieu of prison is an appropriate punitive sanction. This would be of benefit in controlling prison admissions due to probation violators.

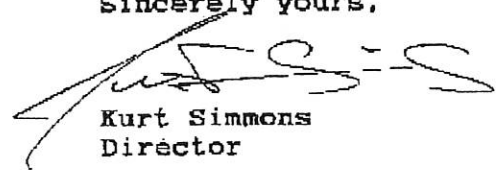
According to the concept paper, severity level and criminal history of the offender are factors to consider in establishing this program. However, I believe a much more accurate assessment for a target population should not exclude actions and behavior of the offender while on probation.

Current crime severity level and prior criminal history do not have a direct correlation to which offender is sent to prison for technical probation violations. Actions and behavior of the offender while on probation does offer a cause and effect rationale.

To be sure, presumptive probation offenders should be the target population. Also, the concept paper indicated that offenders who were convicted of a new felony while on probation would not be considered for this program. I wholeheartedly support this view. It is very important that no offender who commits a new felony be allowed to participate, rather should be sent to prison.

Unsuccessful termination from the work camp should result in direct commitment to prison.

Sincerely yours,



Kurt Simmons
Director

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STATE OF KANSAS

ADMINISTRATIVE JUDGE
JAY DON REYNOLDS

ADMINISTRATIVE ASSISTANT
JERALYN J. MYERS
316-227-4804

CHIEF DISTRICT CLERK
DIANE McELWAIN
316-227-4808



FORD COUNTY DISTRICT COURT
SIXTEENTH JUDICIAL DISTRICT
P.O. BOX 197
DODGE CITY, KANSAS 67801

DISTRICT JUDGE
DANIEL L. LOVE
316-227-4620

VAN Z. HAMPTON
316-227-4561

COURT REPORTERS
ANNETTE DROSTE, 316-227-4807
DARLA MIRABAL, 316-227-4821
CASSIE A. LOSEY, 316-227-4581

April 18, 1997

Mr. Charles E. Simmons
Secretary
Department of Corrections
Landon State Office Building
900 S. W. Jackson--Suite 400-N
Topeka, Kansas 66612-1284

In re: Mobile Incarceration Facility Proposal

Dear Sir:

This will serve as a memorandum of our phone conversation referencing the above subject on April 15, 1997.

It is my hope that my viewpoint will be received as an effort to develop a well-rounded perspective on this proposal and not as an unsolicited intrusion. My viewpoint has been shaped by my 6 years of prosecutorial experience and 20 years of experience as a sentencing judge.

First of all, I applaud the proposal. I believe it will provide a very effective intermediate sanction which has been unavailable since the adoption of the sentencing guidelines. Prior to that, wide use was made of the 120 day callback. This was a very effective sanction and proved to be the wake up call that many of the more thickheaded felons required in order to develop an appreciation for the privilege of probation. If properly administered, I believe that this proposal can be highly effective and an economical alternative to prison incarceration.

Second, I have some suggestions as to what should be considered in developing the concept under the proposals.

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CAPACITY--I would encourage the Committee to reconsider limiting the capacity of the proposal to 300 beds. I understand this figure was developed after reviewing annual revocations resulting in imprisonment. There are many revocations which do not currently result in imprisonment. That figure does not take into consideration the number of referrals which will result from judicial awareness of this as another tool for rehabilitation. Many judges, like myself, will be more inclined to use this as an alternative, than actual imprisonment. Some referrals will be for felons who would not be imprisoned but who the judge believes will benefit from the experience. This means that the baseline statistic of 600 odd annual revocations is inadequate.

LOCATION--Because of the suggestion that the proposed capacity is inadequate, I would suggest that the number of locations be increased to three. This would facilitate greater access to the facilities if some were located throughout the state rather than only in the more densely populated counties and at the same time reduce the respective population of each facility. Our experience with the Conservation Camp is that transportation of a referral to Labette from the Western Kansas may require a two day trip of one Sheriff's Deputy and a vehicle. This is expensive to local county government.

ADMISSIONS--The criteria for admissions should facilitate easy and efficient acceptance of referrals. Delays in admission usually generate more problems in supervision. At least that is the experience which has developed with reference to the Conservation Camp. Currently the waiting time to get a felon admitted to Conservation Camp is 120-150 days. Conservation Camp has a fine program and obtains good results but such a delay in admission results often in other violations or long-term jail confinement. (These confinements crowd inadequate county jails and impose additional expenses on overburdened budgets. The physical health requirements for admission should permit referral of felons with some chronic problems, i.e. asthma, because very often felons are not in the best of physical condition or health due to their self-abusive life styles. I have a suspicion that many of them develop migraine headaches and other health problems to avoid consequences.

ACCOMMODATIONS--Maximums benefits from the 120 day stay will be more likely achieved if the accommodations are memorably spartan. Basic necessities such as food, clothing and shelter should be in ample supply. Creature comforts should be minimized.

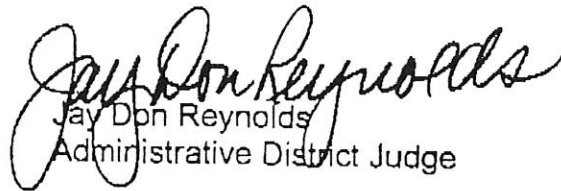
WORK--Inmates should be required to labor and in the process taught responsibility and discipline.

ADMINISTRATION--Although I am sure there are a number of different models that could be adopted, I believe the most feasible would be using the ready vehicle of community corrections organizations would be the most efficient. This is because the organizations are in place and running throughout the State on a judicial district basis. The advisory boards are for the most part made up of the same individuals who would be able to guide the implementation of this concept. This belief is also founded on the premise that the Legislature intended Community Corrections to be an administrative umbrella under which a number of different program components could be operated.

Lastly I would offer, to the extent that I can, the cooperation of any community within this judicial district in acting as the host for such a facility. As we discussed the three principle trade centers of Southwest Kansas, Dodge City, Liberal and Garden City, contribute a large number of the referrals which would populate these facilities. Having a correction facility nearby would be more economical and convenient than history has ever permitted. This historical inconvenience and expense has been compounded by the necessity of transporting juvenile detainees and offenders to far removed facilities. A regional mobile facility, conservation camp or juvenile offender center would be very much appreciated.

Should this create further questions or should the Committee require any additional information, I would consider it a privilege to respond.

Sincerely,


Jay Don Reynolds
Administrative District Judge

jdr

cc: Kelly Funk

Atchison County Community Corrections

111 N. 8th Street
Atchison, KS 66002
(913) 367-7344
Fax (913) 367-8213

April 17, 1997

Charles E. Simmons
Secretary
900 SW Jackson Suite 400-N
Topeka, KS 66612-1284

Mr. Simmons:

I have reviewed the proposal to establish mobile facilities to divert probation violators from the state's correctional facilities and have a few concerns regarding such a proposal.

- (1) How would Community Corrections could serve in this type of capacity as compared to how KDOC institutional services could given their experience, training and expertise in housing offenders? It seems to me that if KDOC did go with such a proposal then the institutional division could more efficiently and safely put it into action. Community Corrections expertise is in the community not in detention.
- (2) The plan dictates that probation violators remain in the community until it is determined that they meet the criteria for the camp and space is available. First, I think this works off of the assumption that those working with offenders in the community have not done everything possible to change the behavior of the client. Although the type of services allowed in each community is different, I firmly believe that in the majority of cases every possible resource is used prior to revoking an offender. If the offender does not meet "camp criteria" or space is not available, what is to be done with the offenders?
- (3) If the program is not operated year round what will happen to offenders who need to be removed from the community, but there is not enough time for them to enter and complete the camp before it closes for the year or is already closed. From what I understand the time lapse could be as long as 6 months. Surely, this plan does not propose that the offenders remain free in the community continuing to violate their conditions during this time.

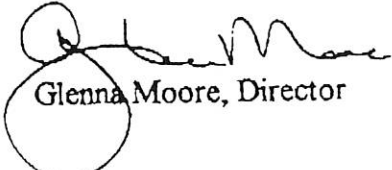
(4) Currently parole is using a 90 day incarceration period to deal with parole violators. I think we should evaluate how this is working for them before spending money to see if a similar plan will work for probation violators.

(5) The plan is unclear about the amount of security that will be provided, how opposite sexes will be separated and whether there will be work release or school instruction, what the camps criteria will be and their definition of "imminent risk".

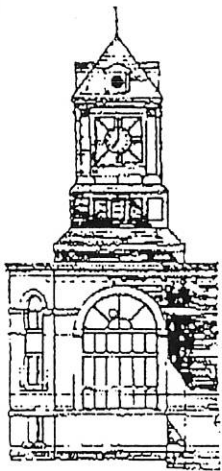
(6) What is the goal of the camp? Is it merely to rid the institutions of probation violators or just to provide an alternative prison environment? Is rehabilitation the main concern? I think the public wants those who are placed into a probation program to remain drug free, arrest free and employed or they would like them incarcerated. I believe that the option of incarceration should be provided to probation violators twelve months out of the year because probation violations and continued criminal behavior continue twelve months out of the year.

I appreciate the opportunity to express some of my concerns and ask further questions regarding this proposal. I really do not have an opinion, yes or no, but would like a great deal more information.

Sincerely,


Glenna Moore, Director

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Johnson County Community Corrections

135 South Kansas Avenue • Olathe, KS 66061 • (913) 829-5000 • Fax: (913) 829-0107

Michael J. Youngken, Director of Corrections

April 17, 1997

Mr. Charles E. Simmons
 Secretary of Corrections
 Landon State Office Building
 900 S.W. Jackson, Suite 400-N
 Topeka, KS 66612-1284

Bruce L. Rider
 Assistant Director of Corrections

Tracee Borger, ISO II
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 (913) 432-5158
 FAX (913) 722-2544

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Joy Rountree, ISO II
 Olathe Juvenile Office
 (913) 829-4807
 FAX (913) 829-4362

Doug Gertsema
 Director of Residential Services
 101 Roeland Park Drive
 New Century, KS 66031
 (913) 829-0800
 FAX (913) 829-0038

Dear Secretary Simmons:

This is my response to your letter of April 11, 1997 requesting comments regarding the establishment of a mobile facility as requested by the House Select committee on Corrections and Juvenile justice.

While I agree that we need to look at all options, I'm struggling with this particular approach as being viable. The following illustrates my thoughts on this issue:

- How would short term deployment to other parts of the state work? It seems to me that given that the proper security measures were in place it could work, but may be pretty labor intensive, i.e., corrections officer to offender/inmate ratio.
- If the proposed camp is going to be operational for only eight months out of the year, what would staff responsibilities be for the other four months? If you have a building or even modular construction you could operate the program year round. I am sure that there are existing buildings that are empty and big enough to handle this population.
- If the security staff are going to be certified similar to county jailers, who will be doing this?
- What type of programs would be offered to address substance abuse, mental health issues, etc.

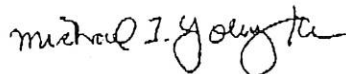
Approximately ninety percent of the offenders that are revoked in Johnson County have substance abuse and/or mental health issues. Is it anticipated that there will be an expectation to have appropriate programs in place to address these issues. The fact that there are virtually no in-patient substance abuse treatment programs that will serve our offender population in the local

communities is a major reason why we are seeing an increase in the prison population in my opinion. Managed care as it relates to substance abuse programs is not working for us. It seems to me that there needs to be programs in place to address the offenders issues while we have them in a structured setting.

If the recommendation is for something other than a building to house offenders I would have logistical concerns regarding food service, medical needs, laundry services and structured leisure activities.

In closing, I would propose that we think about better utilization of community corrections programs both at the time of parole as an option for the Parole Board as well as from the Regional Parole Offices. During the last fiscal year, we supervised approximately ten parolees which is significantly less than we anticipated. In my opinion if we look at community corrections as part of a continuum which includes jail, court services, prison and parole we should be supervising the more serious, needy or chronic offender which would include possible parole revocations. I am willing to assist in any way I can and look forward to further discussing these issues with you and or the Select Committee on Corrections and Juvenile Justice. Chuck, thank you for the opportunity to address this issue.

Sincerely,



Michael J. Youngken

MJY/vat



Riley County Community Corrections

105 Courthouse Plaza
Manhattan, Kansas 66502
(913) 537-6380

April 18, 1997

Secretary Charles E. Simmons
Dept. of Corrections
Landon State Office Bldg
900 SW Jackson Suite 400N
Topeka, KS 66612-1284

Dear Secretary Simmons,

Thanks for the opportunity to provide input concerning the mobile facility proposal-concept paper. Due to the time-frame involved regarding our input; I was only able to briefly consider this matter.

As far as acceptance of the mobile facility concept as an additional resource for probation violators is concerned; the general response was very positive on the part of the intensive supervision officers. The primary concern or reservation centered on the part-time/seasonal nature of the mobile facilities. Given the proposed schedule and the purposed average length of the program, it appears possible that offenders might be on "hold" status in their communities for as long as seven months. It appears that unless the revocation occurred in March, April, May or June; a waiting period of significant length would occur. Given our experience with probationers who remain on intensive supervision pending available bed space; the prospect of supervising several probationers for several months on a post-revocation basis is seen as being pretty "tough" in terms of effectively controlling the revoked probationer's behavior.

Consequently, suggestions arose as to making the mobile facility a year-around program so as to reduce the waiting period. The idea of shortening the average stay to 90 days for a year-around program was suggested as the ISO's felt relatively immediate incarceration was far more important (and effective) than the actual length of incarceration.

In terms of this program's willingness to serve as a mobile facility operator with another community corrections program is concerned; I did not have time to discuss the idea with either the Board of County Commissioners or my Advisory Board. Consequently, I do not wish to assume what their feelings might be for such a project.

From a personal perspective as a community corrections director who has actually managed a corrections work camp; I can fully appreciate the day-to-day management issues

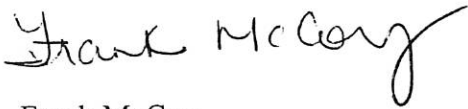
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inherent in such an operation. Based on my work camp experience; I believe the "seasonal" component of the mobile facility concept would accentuate the traditional management problems associated with work camps.

In summary, I believe there is a strong need for additional resources to help address the technical probation violator matter and I appreciate the effort the House Select Committee on Corrections and Juvenile Justice has made towards addressing this matter. I also feel a year-around facility for probation violators would address a number of issues noted in concept paper. I would also suggest that the idea of purchasing cell space in county jails be considered as an option. While many of the county jails do not have any excess capacity, a number of county jails do have space available. The use of county jail space for 90 day periods for technical violators (with the cost of the rented county jail space being paid from the funds that would have been used for the mobile facility operation) is seen by field staff as serving the same function as the mobile facility.

Thanks again for this opportunity and I hope this input is of assistance.

Respectfully,

A handwritten signature in cursive script that reads "Frank McCoy".

Frank McCoy
Director

FM/sdm



Michael E. Kitchens, Director

Harvey House-2nd Floor
624 Olive Street
Leavenworth, KS 66048
Tel: (913) 684-0775
FAX: (913) 684-0764

- Adult Intensive Supervision
- Juvenile Intensive Supervision
- Electronic Monitoring

April 21, 1997

Mr. Chuck Simmons, Secretary of Corrections
Department of Corrections
Office of the Secretary
Landon State Office Building
900 S.W. Jackson - Suite 400-N
Topeka, KS 66612-1284

Dear Mr. Secretary:

I am responding to your letter dated April 11, 1997 regarding the House Select Committee on Corrections and Juvenile Justice proposal for a mobile probation violator facility. In review of the proposal, the creation of another facility or program to house probation violators in a mobile facility (tent city), would not serve the public well.

There is currently a tremendous need in the State of Kansas for effective drug or alcohol treatment programs for offenders-particularly long term care. Since the majority of offenders returned to prison are for drug/alcohol related violations, it would seem more sensible to use those funds to create a long term facility (up to 4 months) that targets the bulk of these offenders.

Having so many people revoked on the back end is a symptom of something not working on the front end. Although well intended, sentencing guidelines has presented field services staff, namely Court Services, Community Corrections, and Parole, with the problem of how to systematically and appropriately classify high risk/high need offenders for the right programs. In many instances Community Corrections programs are by-passed because of this problem. I recommend we evaluate this, as well as other inefficiencies, and take corrective action.

Finally, an effective correctional model balances the educational and treatment needs of the offender with the safety needs of the public. Putting people in prison for not taking responsibility for their behavior while on probation or parole sends a clear message to them that they must manage their lives or pay the price of loss of freedom. This message lends credibility to the system. If we need more prison space, lets spend the money to build one. Warehousing offenders in "tent cities" only prolongs their irresponsibility, puts

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citizens further at risk who have already been victimized, and adds another expensive layer of bureaucracy to an already fragmented system.

Feel free to contact me if you need further input.

Sincerely,



Michael E. Kitchens, Director
Leavenworth County Community Corrections

cc: Leavenworth Times

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~~2.29~~



State of Kansas
KANSAS SENTENCING COMMISSION

INTERIM JUDICIARY COMMITTEE
TESTIMONY
DECEMBER 10, 1996

I have been asked to testify before the Interim Judiciary Committee to provide information relating to the number and characteristics of Conditional Violators admitted to the Department of Corrections during FY 1996. For the purpose of this testimony, the term Conditional Violator is defined as an offender who violates the conditions of his/her probation, parole, post-release or conditional release that does not result in a conviction for a new criminal offense but results in a revocation and subsequent placement of the offender in a state correctional facility. From the data available, it is not possible to indicate the number of violations nor the number of new charges without convictions that contribute to the revocation of an offenders's probation, parole, post-release supervision or conditional release.

Listed below is a chart indicating the distribution of prison admissions for FY 1995 and FY 1996.

Annual Admissions to Department of Corrections*

Type	FY 1996	FY 1995	# Difference	% Difference
New Court Admissions	1351	1252	+99	+7.9%
Probation Viol - Conditional	1217	979	+238	+24.3%
Probation Viol - New Sent.	246	166	+80	+48.2%
Parole Viol - Conditional	1335	1808	-553	-26.2%
Parole Viol - New Sent.	260	329	-69	-21.0%
Conditional Re-Conditional	76	92	-16	-17.4%
Conditional Re- New Sent.	20	24	-4	-16.7%
Other Types**	106	134	-28	-20.9%
Total	4611	4784	-173	-3.6%

* Data supplied by DOC.

** Other Admissions include interjurisdictional transfers, presentence evaluations, return from court appearances, and returned escapees.

Although prison admissions for FY 1996 indicate an overall decrease of 3.6%, examination of the data reveals a combination of both increases and decreases within specific admission categories.

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Select Committee on Corrections
& Juvenile Justice
April 22, 1997
Attachment #3

Between FY 1995 and FY 1996, there was a modest 7.9% increase in new court admissions, which include offenders admitted to DOC the first time or offenders admitted who were not on any type of supervision at the time of conviction for the current offense.

In addition to new court admission, probation violators of all types indicate a significant increase. Conditional probation violators reveal a 24.3% increase between the two fiscal years. This increase translates into conditional probation violators alone accounting for 27% of all admissions for FY 1996, up from 21% of all admissions in FY 1995. Probation violators with new sentences increased 48.2% over the previous year, representing 6% of the total admissions for the year.

Parole, post-release and conditional release violators all show a decline in the categories of conditional violator and violator with new sentences. Conditional parole and post-release violators reveal a reduction of 26.2%, while conditional release violators without a new sentence are down 17.4%. In addition, the number of parole/post-release and conditional release violators with new sentences also indicates a decline of 21% and 16.7% respectively. A portion of the reduction of violators in these categories can be attributed to the implementation of a graduated sanctions programs by the Department of Corrections which was aimed at curbing the number of offenders returned to prison.

In summary, the modest reduction in admissions of 3.6% is a function of the increase in both conditional probation violators and probation violators with new sentences being offset by the decrease in the number of parole, post-release and conditional release violators being returned to prison.

The increase in the number of probation revocations admitted to prison does raise concern pertaining to future prison bedspace needs. Under sentencing guidelines, offenders who received probation sentences were not anticipated to require bedspace in state correctional facilities. Thus, the bedspace needs resulting from the increased sentence lengths imposed for violent and serious offenders were to be offset by a reduction in bedspace needs for low level property and non-violent offenders. In the past two legislative sessions every piece of criminal legislation passed into law, minus one, has increased sentence lengths for various offenses. In severity levels I and II of the nondrug grid, sentence lengths in criminal history categories A and B, have been doubled twice since the passage of the sentencing guidelines in 1993. As more offenders are sentenced to longer periods of incarceration, a stacking affect begins to occur over a period of time. What a stacking affect means is that you can have the same number of offenders admitted to prison for a specific crime or perhaps even a reduction in the number of offenders admitted but your bedspace needs will increase. Simply stated, offenders continue to enter prison but fewer and fewer offenders leave because of lengthy sentences, resulting in demands for additional prison beds.

Another issue that compounds the bedspace need surrounding probation violators is their corresponding lengths of stay. Unlike conditional post-release violators, whose length of stay in prison is defined as either 90 or 180 days, probation violators are required serve the underlying prison term indicated on the sentencing grid. Since conditional post-release violators are confined for a limited amount of time, the prison system can accommodate a larger number of these types of offenders without requiring additional prison beds. If an offender is only incarcerated for 90 days, one prison bed can accommodate four offenders in one year compared to one offender sentenced for

24 months who will require one bed for two years. Listed below is a summary of lengths of stay for FY 1996 probation violators admitted to DOC.

LENGTH OF STAY IN MONTHS FOR FY 1996 PROBATION VIOLATORS

Severity Level	Number of Cases	Minimum Months	Maximum Months	Mean Months
D1	1	162	162	162.0
D2	7	16	62	44.9
D3	144	4	108	18.4
D4	153	4	102	13.7
N3	7	34	60	45.7
N4	6	9	60	30.0
N5	56	11	76	36.3
N6	9	12	34	22.6
N7	221	4	96	20.7
N8	118	6	36	12.8
N9	317	3	37	9.4
N10	73	5	13	7.3
Nongrid	1	10	10	10.0
Unknown	2	18	24	21.0
Total	1,115	3	162	15.8

**Due to missing data, only 1,115 probation violators out of the 1,245 FY 1996 total probation violators were selected in the calculation of lengths to stay.

From the data presented above, the average length of stay of probation violators admitted to DOC is 15.8 months, with the highest percentage of probation revocations occurring in Drug Level 3 and 4 and Non-Drug Levels 7 and 9.

CHARACTERISTIC OF VIOLATORS

During FY 1996, there were 1,245 probation violators admitted to the custody of DOC. Of this total, 816 were guideline sentences, 112 were pre-guideline sentences, 4 cases contained a combination of guideline and pre-guideline sentences, and 313 cases were missing either their guideline indicators or projected guideline release date. White males in their 30's represented the highest percentage of offenders in this group (Figures 1, 2, and 3). The top three original convictions of non-drug offenses for probation violators included burglary, theft, and forgery. The highest number of probation revocations on the drug grid were on Drug Level 3 for possession of opiates or narcotics (Table 4). The top 10 most serious offense categories listed accounted for 83.9% of all probation violators entering DOC. The average length of time for non-drug probation violators from

the age of offense to the age of admission to DOC was 1.7 years, while the average length of time for drug probation violators from time of offense to admission to DOC was 2.1 years. Females experienced a higher percentage of probation revocations (16.4%) than parole/post-release revocations (10%). The highest number of offenders in this group were found on drug level 3 and non-drug level 9.

Parole/Post-release supervision violators totaled 1,364 during FY 1996, accounting for 28.3% of admissions to DOC. This group of offenders was again predominately white (52.5%), males (90%), with over 40% between 30 and 40 years of age. Drug level 3 offenses represented the highest percentage of crime of original conviction, followed by burglary, theft, robbery, and forgery (Table 5). The top ten offenses of original conviction represented 81.9% of all violators in this group. Over 35% of females parole/post-release violators had been convicted of forgery. Excluding drug offenses, the largest percentage of white males in this group had been convicted of sex crimes, burglary, and arson. In contrast, black males had been convicted of aggravated burglary, robbery, and aggravated robbery. The highest number of offenders in this group were found on drug level 3 and non-drug level 7.

Conditional release violators represented the smallest number of violators (96) admitted to DOC. Again, this group was predominately white and all male. This group of offenders tended to be slightly older, representing the highest number of offenders 40 year old and above. This is primarily a function of the length of time incarcerated before release from DOC. Drug offenders represented only 17% of this group, whereas, sex offenders accounted for 36% of this group and burglary represented only 4.8% (Table 6).

CONCLUSION

In reviewing both the number and types of violators admitted to the Department of Corrections, one offense area is clearly the predominate driving source - drug offenses. They represent 29% of probation violators, 23% of parole/post-release violators and 17% of conditional release violators. In comparing the percentages, it does not appear at the current time that whether the offender is placed on probation or incarcerated has much of an impact in dealing with the offender's drug problem. It seems obvious that this is a population that should not be ignored. Unless more emphasis is placed on developing and funding effective comprehensive treatment and prevention programs in the community, state prisons will continue to be the repository for these offenders. The cycle of addiction is difficult for many criminal justice professionals to fully comprehend but continuation on our current path will only reinforce the problems we are currently facing. In addition, it is recognized that many of the property crimes are committed to finance drug habits.

Kansas currently has a very limited number of residential treatment programs, along with a scattering of out-patient programs, which may or may not be geographically located in areas of greatest need. Waiting lists are common among drug treatment programs. Maybe of even more importance is the effectiveness of treatment and prevention programs. The ability to match the needs of a specific offender with a treatment program is critical. Merely placing a drug offender in the first available drug program that may not be suitable or effective, is a waste of time and resources.

Quality effective treatment programs are expensive, ranging from \$6,000 to \$18,000 a year, but compared with the current incarceration cost of over \$20,000 a year - there is still a cost savings to the state, both in actual dollars and even more in lower recidivism rates. Effective placement of drug abusers in treatment programs needs to be coupled with early intervention when the offender starts to relapse. With current case loads assigned to court service and parole officers, this is nearly an impossible task. Often by the time a court service officer or parole officer is aware of the problem, the offender is past an early intervention stage.

The second group of offenders that contribute significantly to violator admissions to prison are property offenders. Burglary, theft, and forgery dominate this group of offenses. The original intent and the underlying premise of sentencing guidelines was that incarceration would be reserved for the most violent and serious offenders. Current practice is negating this intent and at the same time driving our prison population upward. In defense of the Courts and the Department of Corrections, revocations are often the result of limited community options and maybe even more important the lack of a continuum of graduated sanctions that permit various levels of restrictive sanctions to be imposed before incarceration in a state correctional facility. When a violator does not follow the conditions of his/her supervision, action must be taken or the criminal justice system loses all credibility. If the supervising authority lacks options or alternatives, then incarceration ends up being the only available recourse.

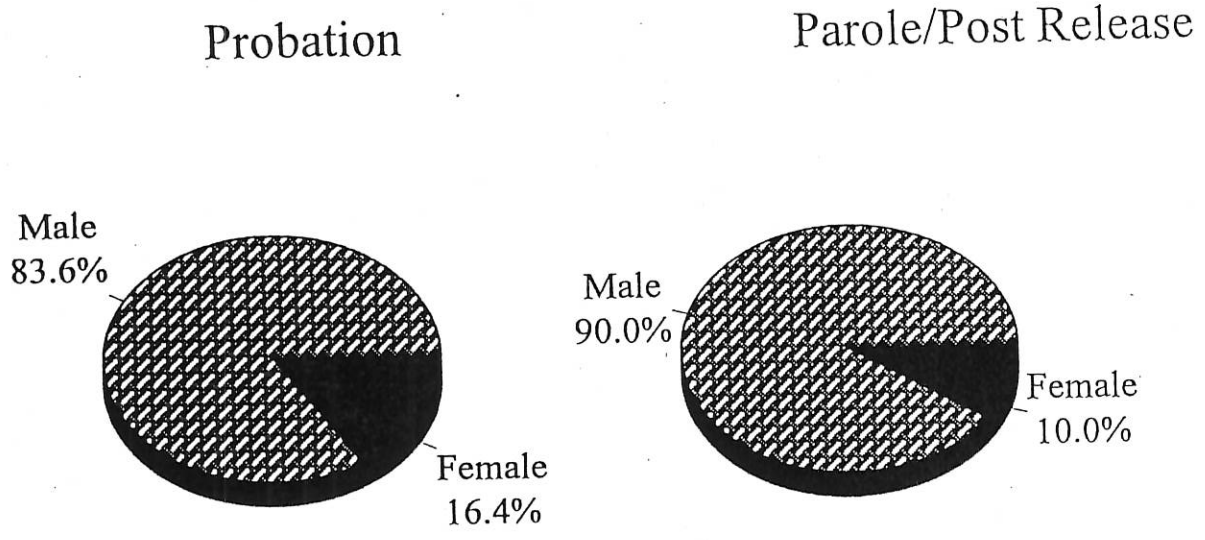
Sentencing guidelines determine the length of sentences for offenders convicted of a specific offense, but have no control over revocations, except to put forth the underlying prison term or length of post-release incarceration. How and why an offender is revoked, either on probation or parole/post-release is not controlled by the sentencing grids. In the past few years, the legislature has repeatedly increased sentence lengths for numerous violent and serious offenses. There has been limited controversy surrounding these actions because most people believe that violent offenders need to be removed from society. However, the legislature has failed to recognize that there have been limited resources and programs directed at the offender population that falls beneath the incarceration line on the sentencing grids. The population of offenders who were not expected to enter state correctional facilities - the low level property and drug offenders.

At the current time the state of Kansas is faced with a serious prison capacity problem - simply stated we are running out of prison beds to accommodate our current policies and practices. Prison construction is one solution to this problem, but the issue then becomes whether this a solution or merely a band-aid approach to a continuing problem. Prison construction will address the stacking affect that the state will start to heavily experience around the year 2005, but it will do nothing to address the number of violators who serve time in state correctional facilities. Unless this specific population is addressed, future prison construction 15 to 20 years down the road will be necessary. Resources must be allocated for community based sanctions that will curb the number of violators requiring prison beds. In addition, more parole and court service officers need to be added to permit the adequate level of supervision that would prevent a certain percentage of revocations.

It is unrealistic to assume that even with numerous and effective community sanctions all violators could be diverted. It is reasonable to assume that a certain percentage, perhaps 40-50%,

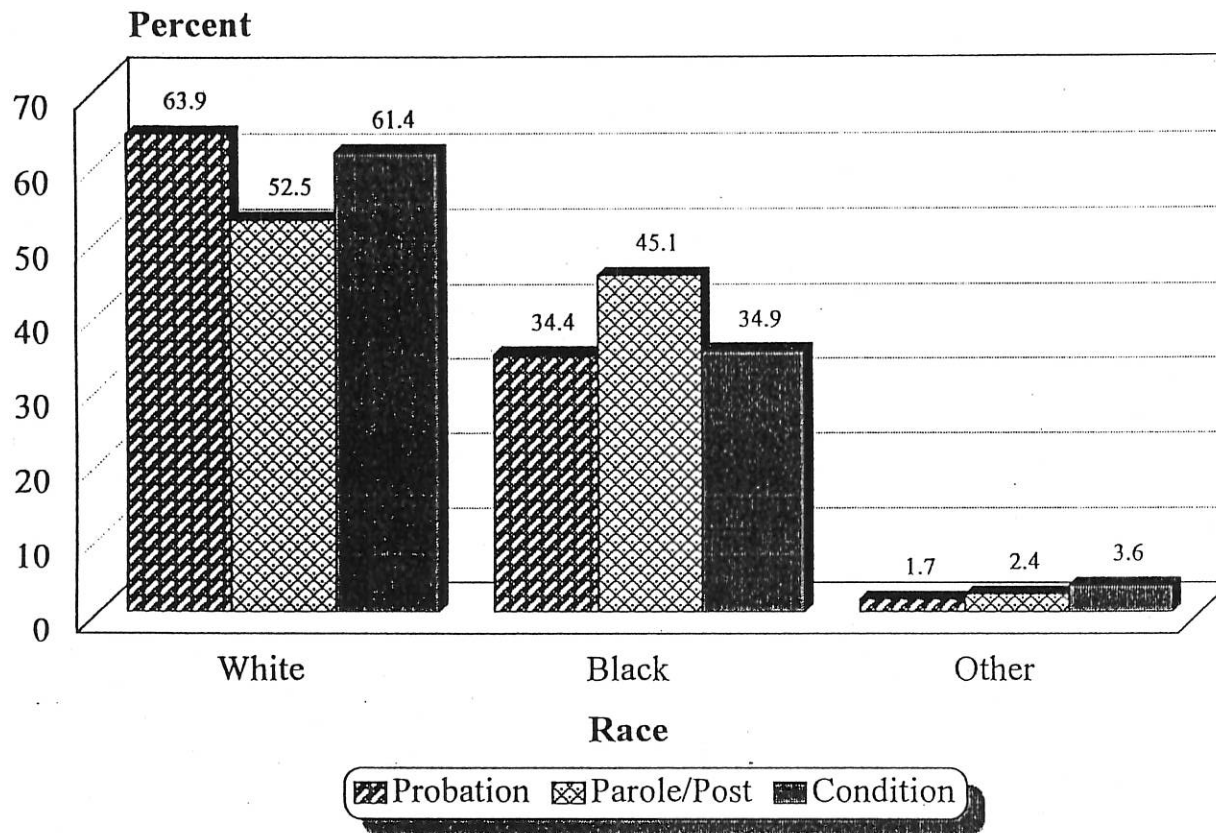
of the violators could be dealt with adequately in the community if the programs were available. Given the number of violators entering prison, this is a sizeable savings of prison beds. The public in general wants the burglary, the car thefts and the forgery to stop. Whether the offender is incarcerated or dealt with in another manner isn't as important as stopping the offense from occurring again. Our national mind set has become one of incarceration as the only solution for every criminal offense. Kansas should look to other states who have tried to build themselves out of the prison overcrowding problem - it doesn't work. These are policy decisions that the legislature must address. Given the impact that the closing of mental hospitals, welfare reform and funding cuts to education are anticipated to have on future crime rates, it would be very costly for the state to ignore this escalating problem. The state needs to develop state-wide an effective set of sanctions that fall between prison and probation or be prepared to allocate significant amounts of tax dollars to prison construction alone.

Figure 1: Distribution of Violators by Gender



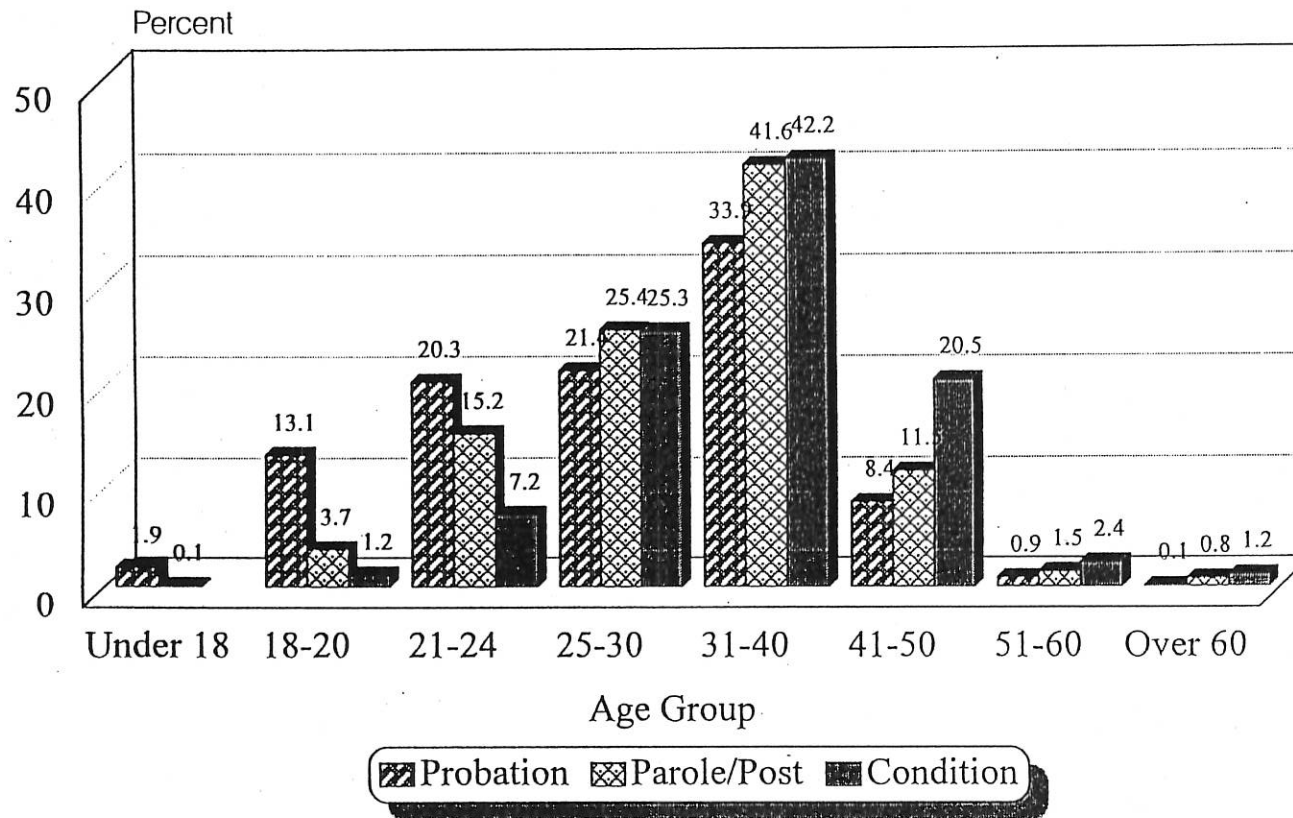
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Figure 2: Distribution of Violators by Race



3-9
3-8

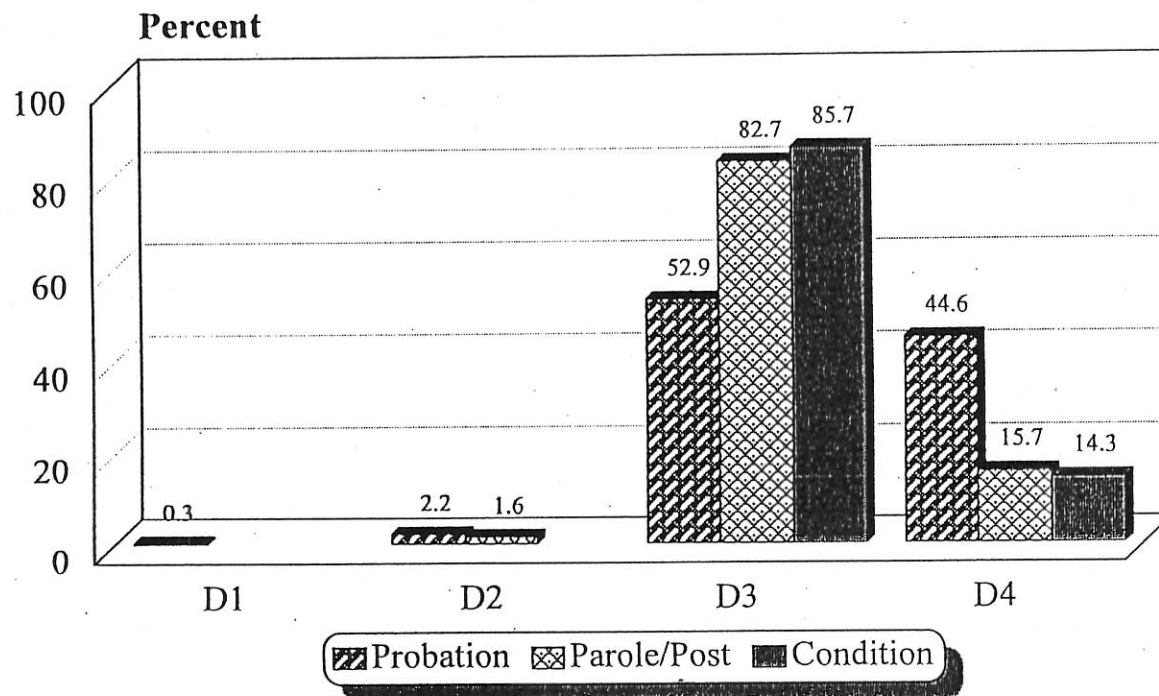
Figure 3: Distribution of Violators by Age



3-10
39

Figure 4: Distribution of Violators by Severity Level

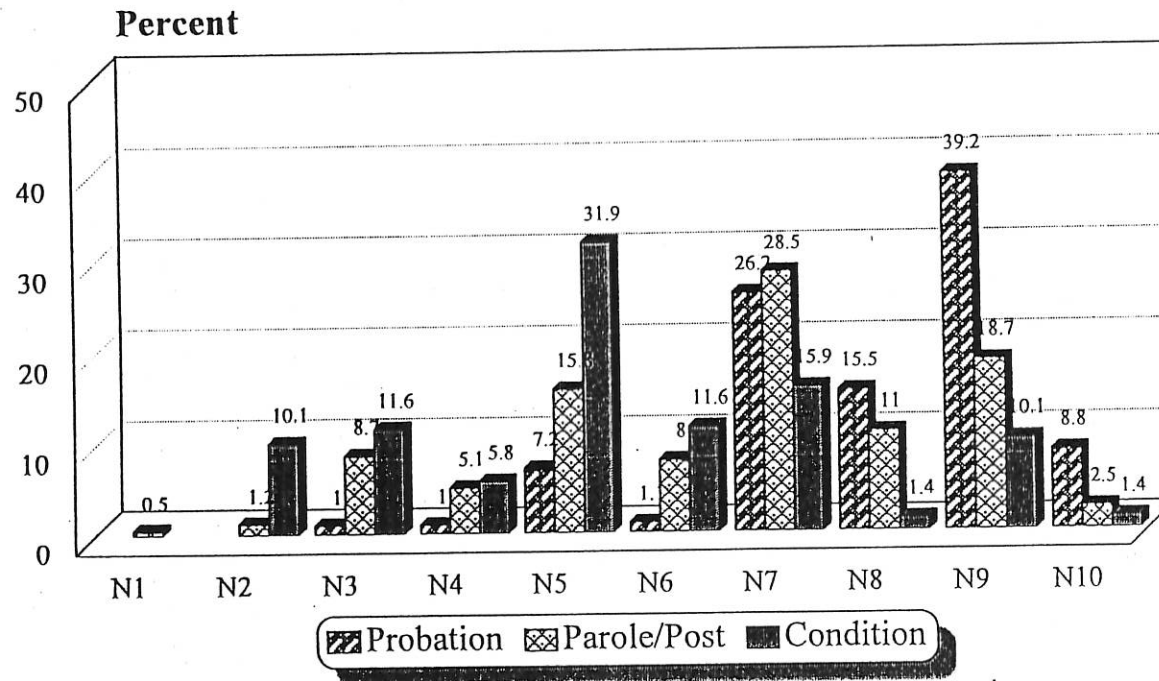
Drug Offenders



Note: Probation Violators, N=359; Parole/Post-Release Violators, N=312; and Conditional Release Violators, N=14.

Figure 5: Distribution of Violators by Severity Level

Nondrug Offenders



Note: Probation Violators, N=879; Parole/Post-Release Violators, N=1,044; and Conditional Release Violators, N=69.

Table 4: Top 10 Most Serious Type of Offense
Probation Violators

Offense Type	Number of Cases	Percent
Drugs	359	28.8
Burglary	216	17.3
Theft	136	10.9
Forgery	115	9.2
Robbery	42	3.4
Aggravated Assault	42	3.4
Driving while a Habitual Violator	40	3.2
Aggravated Battery	35	2.8
Criminal Threat	34	2.7
Driving while Suspended	26	2.1
TOTAL	1,045	83.9

Table 5: Top 10 Most Serious Type of Offense
Parole/Post-Release Supervision Violators

Offense Type	Number of Cases	Percent
Drugs	312	22.9
Burglary	195	14.3
Theft	141	10.3
Robbery	99	7.3
Forgery	84	6.2
Aggravated Robbery	75	5.5
Aggravated Battery	66	4.8
Aggravated Escape from Custody	66	4.8
Aggravated Assault	51	3.7
Aggravated Burglary	29	2.1
TOTAL	1,118	81.9

Table 6: Top 10 Most Serious Type of Offense
Conditional Release Violators

Offense Type	Number of Cases	Percent
Drugs	14	16.9
Indecent Liberties with Child	11	13.3
Aggravated Assault	6	7.2
Aggravated Incest	6	7.2
Rape	5	6.0
Aggravated Escape from Custody	5	6.0
Burglary	4	4.8
Aggravated Sexual Battery	3	3.6
Aggravated Robbery	3	3.6
Aggravated Battery	3	3.6
TOTAL	60	72.2

**JUVENILE JUSTICE AUTHORITY
GOVERNOR'S BUDGET
FY 1998**

By Program	S & W	OOE	Aid to Local	Asst. & Grants	SGF	All Funds	FTE
SRS Transfers							
1. Administrative Services							
a. Central Office Staff	\$ 75,970	\$ 69,044	\$ 0	\$ 0	\$ 145,014	\$ 145,014	4.9
b. Area Office Staff	<u>350,390</u>	<u>255,361</u>	<u>0</u>	<u>0</u>	<u>605,751</u>	<u>605,751</u>	<u>22.6</u>
TOTAL	<u><u>\$ 426,360</u></u>	<u><u>\$ 324,405</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 750,765</u></u>	<u><u>\$ 750,765</u></u>	<u><u>27.5</u></u>
2. Children & Family Services							
a. Central Office	\$ 141,221	\$ 22,050	\$ 0	\$ 0	\$ 163,271	\$ 163,271	3.0
b. Delinquency Prevention Grants ¹	38,394	315,150	550,000	550,000	0	903,544	1.0
c. Foster Care	0	0	0	5,970,162	5,970,162	5,970,162	0.0
d. Det. Fac. Debt Svc. ²	0	712,830	0	0	0	712,830	0.0
e. Juv. Detn. Fac. ³	0	0	0	2,015,000	0	2,015,000	0.0
f. Field Staff ⁴	2,072,919	88,591	0	0	2,161,510	2,161,510	114.0
g. Aftercare ⁵	<u>0</u>	<u>750,000</u>	<u>0</u>	<u>0</u>	<u>750,000</u>	<u>750,000</u>	<u>0.0</u>
Subtotal	<u><u>\$ 2,252,531</u></u>	<u><u>\$ 1,888,621</u></u>	<u><u>\$ 550,000</u></u>	<u><u>\$ 7,985,162</u></u>	<u><u>\$ 9,044,943</u></u>	<u><u>\$ 12,676,317</u></u>	<u><u>118.0</u></u>
TOTAL	<u><u>\$ 2,678,894</u></u>	<u><u>\$ 2,213,026</u></u>	<u><u>\$ 550,000</u></u>	<u><u>\$ 7,985,162</u></u>	<u><u>\$ 9,795,708</u></u>	<u><u>\$ 13,427,082</u></u>	<u><u>145.5</u></u>

1) Juvenile Justice Delinquency Prevention funds from the federal Office of Juvenile Justice and Delinquency. Includes funding for a juvenile justice specialist mandated by the federal office of Juvenile Justice Delinquency Prevention to assist the Juvenile Justice Delinquency Prevention Kansas Advisory Group.

2) Juvenile Detention Facilities Debt Service—Payments for bonds issued for the construction of regional juvenile detention facilities. The bond payments must be paid for another 15 years.

3) Please see attachment 1 for Juvenile Detention Facilities Fund detail.

4) Please see attachment 2 for expenditure detail.

5) Youth Center aftercare which is presently contracted with the Department of Corrections.

Select Committee on Corrections
 of Juvenile Justice
 April 22, 1997
 Attachment # 4

<u>By Program</u>	<u>S & W</u>	<u>OOE</u>	<u>Aid to Local</u>	<u>Asst. & Grants</u>	<u>SGF</u>	<u>All Funds</u>	<u>FTE</u>
Office of Judicial Administration Transfers							
1. Intake and Assessment	\$ 48,670	\$ 7,900	\$ 4,124,173	\$ 0	4,180,743 ^{la}	\$ 4,180,743	1.0
a) Includes \$1,279,518 in new State General Fund monies.							
Corporation For Change Transfers							
1. Fam. & Children Invest. Fund ^{lb}	\$ 0	\$ 0	\$ 975,000	\$ 0	\$ 0	\$975,000	0.0
b) this fund has been recommended withdrawn from the Juvenile Justice Authority by both Chambers.							
Department of Corrections Transfers							
1. Community Corrections ^{lc}	\$ 0	\$ 0	\$ 3,485,328	\$ 0	\$ 3,485,328	\$ 3,485,328	0.0
c) see attachment 3 for detail.							
New Funding ^{ld}							
1. Core Staff	\$ 231,727	\$ 98,906	\$ 0	\$ 0	\$ 330,633	\$ 330,633	5.0
d) In addition, \$1,279,518 within the amount recommended for intake and assessment to be transferred from the office of Judicial Administration is new State General Fund money.							
GRAND TOTAL	<u>\$ 2,959,291</u>	<u>\$ 2,319,832</u>	<u>\$ 9,134,501</u>	<u>\$ 7,985,162</u>	<u>\$ 17,792,412</u>	<u>\$ 22,398,786</u>	<u>151.5</u>

4-2

**ADDITIONAL RECOMMENDED FUNDING BY THE
KANSAS YOUTH AUTHORITY
GOVERNOR'S BUDGET AMENDMENT REQUESTS
FY 1998**

Kansas Youth Authority Recommendations

	<u>State Operations</u>	<u>Aid to Local</u>	<u>Capital Imp.</u>	<u>SGF</u>	<u>All Funds</u>	<u>FTE</u>
1. Juv. Just. Com. Planning Fund	\$ 0	\$ 2,000,000	\$ 0	\$ 1,200,000	\$ 2,000,000*	0.0
2. SRS/CETU/Chem. Depend.	\$ 1,322,455	\$ 0	\$ 0	\$ 1,000,000	\$ 1,224,501**	0.0

* Of this amount, \$800,000 is intended to be transferred from the Juvenile Detention Facilities Fund to the Juvenile Justice Community Planning Fund.

** I have alternative information indicating that \$134,501 of these funds are part of a six-year federal grant for the Youth Center at Larned for which a Governor's budget amendment is being written. (These federal funds are being granted by the Department of Justice to the Sentencing Commission who will in turn grant the funds to the Juvenile Justice Authority as their subgrantee.) In addition, alternative information indicates that \$90,000 of these funds are part of the Alcohol and Drug Services block grant at SRS for which I have included a proviso in the bill to allow for the transfer of these funds. I have been told this amount will come in form of a grant and will be a mixture of SGF and special revenue funds). The remaining \$1,000,000 is money which SRS is trying to find to replace funding for the Comprehensive Evaluation and Treatment Unit transferring to three of the Youth Centers (Beloit, Larned, and Topeka) from Topeka State Hospital. Reportedly, the funding was lost when moving the CETU from Topeka State Hospital to the youth centers due to federal restrictions applying to medical coverage for individuals under incarceration.

	<u>State Operations</u>	<u>Aid to Local</u>	<u>Capital Imp.</u>	<u>SGF</u>	<u>All Funds</u>	<u>FTE</u>
3. Management Info. System	\$ 1,500,000	\$ 0	\$ 0	\$ 1,000,000	\$ 1,500,000*	0.0

* This includes \$500,000 federal funds. The application for the federal grant, a Byrne Grant, is being completed for submission to the Sentencing Commission.

	<u>State Operations</u>	<u>Aid to Local</u>	<u>Capital Imp.</u>	<u>SGF</u>	<u>All Funds</u>	<u>FTE</u>
4. Rehabilitation and Repair	0	0	\$ 1,055,200*	\$ 0	\$ 1,055,200	0.0

* This request will be addressed by the Joint Committee on State Building Construction during the upcoming Legislative break. The recommendation includes all State Institutional Building Fund monies.

4-4
#3

	<u>State Operations</u>	<u>Aid to Local</u>	<u>Capital Imp.</u>	<u>SGF</u>	<u>All Funds</u>	<u>FTE</u>
5. Planning for Maximum Security Facility	\$ 0	\$ 0	\$ 1,000,000	\$ 0	\$ 1,000,000*	0.0

* The recommendation includes all State Institutions Building Fund money.

	<u>State Operations</u>	<u>Aid to Local</u>	<u>Capital Imp.</u>	<u>SGF</u>	<u>All Funds</u>	<u>FTE</u>
6. Additional Federal Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,857,493*	0.0

* Represents Title IV-E and Medicaid funds that SRS has drawn down in the past to provide the services which will become the responsibility of the Juvenile Justice Authority.

7. Establishment of Funds

Several funds need to be established:

- a) Kansas Endowment for Youth Trust Fund (created in Senate Substitute for H.B. 2160). This fund has previously been located within the budget of the Office of Judicial Administration.
- b) Juvenile Justice Community Initiative Fund (created in House Substitute for S.B. 69). Money credited to the Fund shall be used solely for the purpose of making grants to communities to assist in supporting field services; case management services; and juvenile justice programs, services, and placements in the judicial district.
- c) Juvenile Justice Community Planning Fund (created in House Substitute for S.B. 69). Money credited to the Fund shall be used solely for the purpose of making grants to community planning teams to assist with the community planning process of determining juvenile justice programs for the judicial districts.
- d) Juvenile Justice Fee Fund (created in Senate Substitute for H.B. 2160).
- e) Juvenile Justice Federal Fund (created in Senate Substitute for H.B. 2160). Necessary to receive and expend federal funds and other revenues.

4-5
4-4

	<u>State Operations</u>	<u>Aid to Local</u>	<u>Capital Imp.</u>	<u>SGF</u>	<u>All Funds</u>	<u>FTE</u>
Total Additional Funding recommended by the Kansas Youth Authority for the Juvenile Justice Authority Excluding the Youth Center Budgets:	\$ 2,072,455	\$ 2,000,000	\$ 1,905,200	\$ 4,072,455	\$ 6,779,701	0.0

	<u>State Operations</u>	<u>Aid to Local</u>	<u>Capital Imp.</u>	<u>SGF</u>	<u>All Funds</u>	<u>FTE</u>
TOTAL*	\$ 8,101,578	\$ 11,134,501	\$ 7,985,162	\$ 20,992,412	\$ 28,203,487	151.5

* Governor's recommendations and Kansas Youth Authority recommendations, excluding the Youth Centers.

	<u>State Operations</u>	<u>Aid to Local</u>	<u>Capital Imp.</u>	<u>SGF</u>	<u>All Funds</u>	<u>FTE</u>
8. Youth Centers*:	\$ 24,489,930	\$ 11,134,501	\$ 7,985,162	\$ 23,617,634	\$ 24,489,930	551.0

The Juvenile Justice Authority requests that the youth center budgets be incorporated into the Juvenile Justice Authority. It is also requested that the total FTE for the youth centers be budgeted as a part of the Juvenile Justice Authority authorized FTE limit.

	<u>State Operations</u>	<u>Aid to Local</u>	<u>Capital Imp.</u>	<u>SGF</u>	<u>All Funds</u>	<u>FTE</u>
9. FTE Positions						(121.5)*

* The Juvenile Justice Authority requests a total of 30.0 FTE for its operations, excluding the youth centers, a reduction of 121.5 FTE from the Governor's recommendation. It is anticipated that functions currently provided by state staff will be provided through contracting for services or staff employed by local units of government. The Juvenile Justice Authority requests a total FTE limitation, including the youth centers, of 581.0 FTE.

GRAND TOTAL	<u>\$ 32,591,508</u>	<u>\$ 11,134,501</u>	<u>\$ 7,985,162</u>	<u>\$ 44,610,046</u>	<u>\$ 54,550,910</u>	<u>581.0</u>
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Attachment 1

**DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES
CHILDREN AND FAMILY SERVICES**

<u>Juvenile Detention Facilities Fund</u>	<u>SRS FY 1997</u>	<u>JJA FY 1998</u>
Beginning Balance	\$ 1,077,984	\$ 1,150,311
Receipts*	<u>3,200,000</u>	<u>3,200,000</u>
Total Available	<u>\$ 4,277,984</u>	<u>\$ 4,350,311</u>
 Expenditures:		
Debt Service on Detention Facilities	\$ 712,830	\$ 712,830
Cost of Care for SRS Custody Children in Detention	2,015,000	2,015,000
One-Time Operating Grants to Facilities**	<u>399,843</u>	<u>0</u>
Subtotal—Expenditures	<u>\$ 3,127,673</u>	<u>\$ 2,727,830</u>
 Ending Balance	 <u>\$ 1,150,311</u>	 <u>\$ 1,622,481</u>

* The receipts include gambling receipts (\$2.5 million), as well as \$700,000 in receipts from court docket fees and driver's license reinstatement fees. On an annual basis, expenditures are approximately \$475,000 less than receipts. On a one-time basis, there is some excess revenue in the fund that could be expended for upfront costs.

** Recommended by the Kansas Advisory Group as one-time operating expenditures for renovations and operations at the detention centers. Distributed according to licensed bed capacity. A Governor's budget amendment is forthcoming for this expenditure.

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**JUVENILE OFFENDER RESOURCES BY AREA OFFICE
For Transfer to Kansas Youth Authority**

	Social Services (6480)				
	Share of JO Caseload	Social Workers and Supervisors	Program Support Workers & Other Paraprofessionals	Total FTE	Estimated Salaries And OOE
Chanute	8.6%	5	5	10	\$185,890
Emporia	7.7%	4	5	9	\$166,436
Garden City	4.7%	2	3	5	\$101,591
Hays	3.5%	2	2	4	\$75,653
Hutchinson	5.9%	3	4	7	\$127,529
Kansas City	10.8%	6	6	12	\$233,443
Lawrence	6.8%	4	4	8	\$146,983
Manhattan	4.1%	2	2	4	\$88,622
Olathe	14.6%	8	9	17	\$315,580
Salina	6.6%	4	4	8	\$142,660
Topeka	9.0%	5	5	10	\$194,536
Wichita	17.7%	10	11	21	\$382,587
TOTAL	100.00%	55	60	115	\$2,161,510

COMMUNITY CORRECTIONS PROGRAMS

The availability of community corrections programs statewide is represented in the following table:

Initial Date of First services	County/Judicial District	Adult ISP	Adult Res.	Juv. ISP	Electronic Monitoring	Day Reporting	Surveillance
Jan. 1981	Bourbon/Linn/Miami	X		X	X	X	
Mar. 1987	Douglass	X		X	X		X
Apr. 1982	Johnson	X	X	X	X	X	
Jan. 1981	Leavenworth	X		X	X		X
Nov. 1984	Montgomery	X		X			
Apr. 1982	Riley	X		X	X		
Aug. 1986	12th & 28th	X		X			X
Apr. 1983	Sedgwick	X	X	X	X		X
Oct. 1980	Shawnee	X		X	X	X	X
Jun. 1981	Wyandotte	X		X	X	X	
Jul. 1990	Atchison	X		X	X		X
Jul. 1990	Santa Fe Trail	X		X	X		X
Jul. 1990	2nd	X		X	X		X
Jul. 1990	4th	X		X	X		X
Jul. 1990	5th	X		X	X		X
Jul. 1990	8th	X		X	X	X	
Jul. 1990	9th	X		X	X	X	
Jul. 1990	11th & 31st (SE Kansas)	X		X	X		
Jul. 1990	13th	X		X	X		X
Jul. 1990	15th, 17th & 23rd (NW Kansas)	X		X	X		X
Jul. 1990	19th (Cowley)	X		X	X	X	X
Jul. 1990	20th (Central Kansas)	X		X	X		X
Jul. 1990	22nd	X		X	X		
Jul. 1990	24th	X		X	X		X
Jul. 1990	25th	X		X	X		
Jul. 1990	27th (Reno)	X		X	X	X	X
Jul. 1990	30th (So. Central)	X		X	X		
Jul. 1990	Sumner	X		X	X		X
Jul. 1994	Cimmaron Basin	X		X	X		X

Programs provided by agencies participating in the Community Corrections Act include:

- *Adult Intensive Supervision Program (ISP) for 4,087 offenders in FY 1998:* Provides community control of felony offenders through frequent face to face and collateral contacts, employment visits, substance abuse testing, individualized case plans, surveillance, and rehabilitative interventions and therapy.
- *Juvenile Intensive Supervision Program for 984 offenders in FY 1998:* Includes the same services as adult ISP, but with emphasis on parental involvement, academic achievement, vocational development, family preservation, and coordination of community resources.
- *Adult Residential Programs for 121 offenders in FY 1998:* Provides a structured minimum security correctional environment to ensure offender accountability and the help offenders obtain employment and maintain good work habits.
- *Electronic Monitoring:* Verifies the offenders' presence in or absence from, a monitored location.
- *Day Reporting Services:* Provide community control of offenders by requiring them to: report daily; make and adhere to daily activity schedule; participate in designated programs or related activities.
- *Surveillance:* Monitors the activities and whereabouts of offenders during evenings and weekend hours for the purposes of accountability and enhancement of public safety.

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STATE OF KANSAS
HOUSE OF REPRESENTATIVES



CHAIRMAN: COUNCIL OF STATE GOVERNMENTS
MIDWESTERN LEGISLATIVE
CONFERENCE
CHAIRMAN: KANSAS YOUTH AUTHORITY
CHAIRMAN: KANSAS ADVISORY GROUP ON
JUVENILE JUSTICE AND
DELINQUENCY PREVENTION

COMMITTEES
MEMBER: COMMITTEE ON JUDICIARY
COMMITTEE ON BUSINESS, LABOR
AND COMMERCE
COMMITTEE ON TOURISM

REPRESENTATIVE DAVID ADKINS
TWENTY-EIGHTH DISTRICT

DATE: April 22, 1997
TO: Joint Committee on State Building Construction
FROM: Representative David Adkins
Chair, Kansas Youth Authority
RE: Juvenile Justice Authority FY 1998 Budget Request

Today, I wish to discuss with you and seek your endorsement of two requests for funding from the State Institutions Building Fund (SIBF) for the Juvenile Justice Authority in FY 1998.

REHABILITATION AND REPAIR -- YOUTH CENTERS

I would ask your endorsement of this funding request for \$1,055,200 from the SIBF for rehabilitation and repair projects at the youth centers. The Governor's budget recommendation omitted funding for general rehabilitation and repair projects. This funding request would allow only the highest rated projects at the youth centers to be addressed in FY 1998. Gary LaShell of SRS will provide the Committee with a brief overview of these projects and the rehabilitation and repair needs at the youth centers.

CAPITAL FACILITIES PLANNING AND PROJECTS

I would ask your endorsement of the second funding request for \$1.0 million from the SIBF in FY 1998 associated with juvenile justice capital planning and projects.

Charge in House Sub. For S.B. 69

House Substitute for Senate Bill 69 directs the Commissioner of Juvenile Justice to submit to the Legislature by December 31, 1997, a recommendation approved by the Youth Authority detailing capital projects and expenditures projected during the five-year period beginning July 1, 1997, including a rationale in support of such recommendation. In developing such recommendations the legislation further charges the Commissioner to avoid pursuing construction or expansion of state institutional capacity when appropriate alternatives to such placements are justified. This is just one part of a broader charge to

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& Juvenile Justice
April 22, 1997
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the Commissioner to develop a financial plan by December 31, 1997 for the juvenile justice system. In fulfilling this charge, the Commissioner will initiate a process towards the development of a capital improvements master plan.

Comprehensive Planning Process

In order to fulfill this requirement it will be necessary for the Juvenile Justice Authority to conduct a comprehensive analysis of current and future capacity requirements, existing juvenile offender facilities and associated costs. This comprehensive planning also will include considerations for the needs of special population groups such as those with mental illness and/or mental retardation conditions and substance abuse/addiction problems, as well as the long-term capital improvement necessities of the existing youth facilities. Other system improvements such as a Youth Academy and community based programs/services like the regional youth care, evaluation and rehabilitation facilities and supplemental youth care facilities (which are found in H. Sub for SB 69 and previously in HB 2900) also need to be considered in a Master Plan. Utilization of private sector contract services for building and operation of facilities/services will also be explored within the planning process.

Relationship of Needs Assessment to Budget Request

The Juvenile Justice Authority budget requests \$1,000,000.00 in State Institutional Building Funds (SIBF) for this purpose. As stated in the budget, this request includes funding for facilities planning (which might include a maximum security facility; space for the needs of special populations such as mentally ill; and/or a reception and diagnostic center), and to do an inventory and analysis of capital issues at the existing facilities. The funding would also support planning for other facilities, such as a Kansas Youth Academy.

A Juvenile Offender Needs Assessment has been completed leading to the development of a Placement Matrix and a preliminary recommendation by the Youth Authority that a maximum security facility with an initial capacity of 150 beds be constructed. Steve Loomis of Hayes, Seay, Mattern and Mattern, Inc., with whom the Youth Authority contracted, is here to share with this Committee the results of that need assessment. The comprehensive plan for which funding is requested would build on the results of the Needs Assessment by adding the dimensions of community capacity and review of additional options and variations that are feasible for responding to the bed space needs. The Master Plan would be a thorough, in-depth analysis of the Needs Assessment data and other available data resulting in recommendations that allow for maximum flexibility and optimal cost-efficiency in responding to the determined needs. It is anticipated that the requested funds would be used to acquire consultation and technical assistance services as necessary to complete this plan and identify options for the Commissioner and Legislature.

Balanced and Restorative Justice

The comprehensive plan and the related planning process is very consistent with the Balanced and Restorative Justice Model which is the guiding principle of the Kansas Juvenile Justice Reform Act and the Comprehensive Strategy for Serious, Violent and Chronic Juvenile Offenders that is promoted by the United States Office of Juvenile Justice and Delinquency Prevention. The principle of balance in connection with restorative justice suggests that the Juvenile Justice System should give equal weight to:

- (1) ensuring community safety;
- (2) holding offenders accountable to victims and communities; and
- (3) providing competency based programs and services for offenders in the system that offer the greatest possibility for the offenders to become responsible, productive members of their communities.

In order to implement and practice Restorative Justice, greater emphasis is placed on community-based programs and services. Indeed, the community becomes the focal point for working with the offender. Thus, the development of appropriate community based services is important. That aspect of the Balanced and Restorative Justice Model can be furthered through this comprehensive planning process as well.

Identification of Options

As the Commissioner identifies options related to capital planning, those options will be shared with the Joint Committee on Corrections and Juvenile Justice Oversight and the Joint Committee on State Building Construction. No actual facilities design will be pursued without consultation with these committees. However, it is important that the Commissioner be able to move forward in an expeditious manner once recommendations have been made related to capital projects, whether that be modifications at existing facilities or planning and design for new construction.

Clearly, there is a stress on existing facilities. This Committee has long been concerned about the youth centers and their long-term capital needs as well as concerned about the current lengths of stay at the youth centers. The placement matrix included in House Sub. For S.B. 69 will impact upon population at the youth centers and will impact upon the needs for community capacity, and it is critical that the Commissioner be empowered to proceed in a manner which ensures that both the State and communities will be prepared when the placement matrix becomes effective on July 1, 1999.

Allocation of Funding Request

The requested funding would be allocated as follows:

Comprehensive Capital Planning

\$250,000

The capital planning process leading to the comprehensive plan mandated by House Sub. For S.B. 69 will include four phases:

⇒ *Pre-Planning*

This phase entails the thorough examination and analysis of existing information and data, as well as the identification and development of new and additional data necessary to the planning process.

⇒ *Planning for Institutional Capacity*

This phase considers all of the issues related to the existing facilities including capital improvements, rehabilitation and repair, retro-fitting of youth center buildings, additional space requirements, special needs populations as well as related issues for new or non-existent facilities and bed-space. The impact of the placement matrix on institutional bed space will also be assessed.

⇒ *Planning for Community Capacity*

In this phase all of the planning for capacity and programs at the community level and the impact of these on the total needs of the state system would occur. The impact of the placement matrix on community needs will also be assessed.

⇒ *Final Plan/Recommendations*

In this final phase a complete plan presenting various options and recommendations related to capital improvements and facilities issues will be developed. The plan will present various options for addressing the needs; prioritize these options; and make recommendations. This process will be complete by December 1, 1997.

Specific Design, Planning and Capital Projects

\$750,000

Subsequent to the completion of the comprehensive plan, the remaining funding would be available to begin to proceed with design and planning for new facilities recommended under the plan, or to proceed on capital projects at existing facilities as identified in the plan. As noted above, expenditure of these funds would be made in consultation with the Joint Committee on Corrections and Juvenile Justice Oversight and the Joint Committee on State Building Construction.

I ask this Committee's support for the requested capital funding for the Juvenile Justice Authority in FY 1998.

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STATE OF KANSAS
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COMMITTEES

MEMBER: COMMITTEE ON JUDICIARY
COMMITTEE ON BUSINESS, LABOR
AND COMMERCE
COMMITTEE ON TOURISM

REPRESENTATIVE DAVID ADKINS
TWENTY-EIGHTH DISTRICT

DATE: April 22, 1997
TO: Joint Committee on Computers and Telecommunications
FROM: Representative David Adkins
Chair, Kansas Youth Authority
RE: Juvenile Justice Authority FY 1998 Budget Request

Juvenile Offender Management System

***Relationship to Kansas Criminal Justice Information System
and Kansas Juvenile Justice Information System***

The Juvenile Justice Authority is requesting funding in FY 1998 of \$1.5 million for an information systems strategic plan and funding for the first year of development of a juvenile offender management system. This system will allow the Juvenile Justice Authority to maintain information for daily administrative operations and youth center resident care, and will include components such as budgeting, accounts payable, office automation, e-mail, communication systems, and most importantly, detailed information on juveniles in the custody of the Commissioner of Juvenile Justice, whether those juveniles reside at youth centers, in group homes, in other community-based settings or with their parents. This means that linkages will be necessary not only with the youth centers but also with judicial districts based on the community model of juvenile justice articulated under the Juvenile Justice Reform Act.

Let me make clear that this request is not for the Kansas Juvenile Justice Information System (KJJIS) which is a statutorily mandated responsibility of the Criminal Justice Coordinating Council. The KJJIS is being developed with the assistance of MTG Management Consultants as a part of the Criminal Justice Information System and is planned to include criminal history information on juvenile arrests and court dispositions as well as child in need of care filings. The first phase of the Criminal Justice Information System that is being developed relates to the adult offender; the KJJIS will be developed in the second phase. I believe the Committee received a presentation from MTG on the Criminal Justice Information System in April.

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As I previously stated, this request by the Juvenile Justice Authority is for a juvenile offender management system. It will, however, be critical that this management system interface with the Juvenile Justice Information System. The Juvenile Justice Authority will be just one agency from which the JJIS will draw information.

FY 1998 FUNDING REQUEST

The Juvenile Justice Authority requests \$1.5 million in FY 1998 related to systems planning and an offender management system. The request includes \$1.0 million from the State General Fund and \$500,000 from federal Byrne grant funds. SRS has already made application to the Sentencing Commission for Byrne Grant funds to support this effort.

- Areas of Technology to Be Addressed in Information Systems Planning:**
- ▶ Juvenile Offender Case Management
 - ▶ Office Automation
 - ▶ Data Networks
 - ▶ Mainframe Connectivity
 - ▶ System Interfaces
 - ▶ Voice/Telecommunications
 - ▶ Desktop Video

A careful planning process will be instituted around the offender management system and infrastructure planning, likely with the assistance of a systems consultant. The planning process will begin with an evaluation of the current status of systems both centrally and in the judicial districts. The next phase of the process will be identification of the information system needs of the Juvenile Justice Authority.

During the first year, emphasis will also be placed on infrastructure development at the youth centers and the central office of the Juvenile Justice Authority. These are projects that can be completed without limiting the scope of the Information Systems strategic planning process. Basic network infrastructure does not currently exist at the facilities; nor is there linkage or office automation between the facilities and the central office.

The specific allocation of resources for the first year by organizational unit and by component is detailed below:

<i>Item</i>	<i>Amount</i>
Network Infrastructure Project:	
Youth Center at Atchison	\$111,000
Youth Center at Topeka	\$125,960

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<i>Item</i>	<i>Amount</i>
Youth Center at Beloit	\$111,000
Youth Center at Larned	\$31,000
JJA Central Office	\$264,280
Remote Access Server and Hardware	\$40,000
Other	\$66,760
Subtotal - Infrastructure	\$750,000
Planning and Offender Management System:	
Information Systems Planning	\$250,000
Offender Management System	\$500,000
Subtotal - Offender Management/Planning	\$750,000
Subtotal - Management System	\$1,500,000
Funding:	
State General Fund	\$1,000,000
Federal Byrne Grant	\$500,000
TOTAL	\$1,500,000

It is anticipated that Year 2 costs would also total approximately \$1.5 million, with continuation of contractual assistance for implementation of the juvenile offender management system with linkages to judicial districts. Approximately one-half of the amount would relate to interfaces and connections with judicial districts and other community-based entities.

SUMMARY

At any time, establishment of a new agency presents certain information systems challenges. In this case, the Juvenile Justice Reform Act itself impacts upon the importance of an early emphasis on information systems planning and development of an offender management system. First, Juvenile Justice Reform does not just transfer responsibilities from existing agencies to a new agency. Instead, the legislation clearly mandates a new approach to juvenile justice with an emphasis on a community-based delivery system. At the same time, the legislation clearly expects an outcomes-based design, through its establishment of Divisions of Research and Prevention, and Performance Audit under the Commissioner of Juvenile Justice. Allocation of resources towards information systems is critical in the implementation of Juvenile Justice Reform. I would ask your support of the requested funding.

**Department of Social and Rehabilitation Services
Children and Family Services**

Comprehensive Evaluation and Treatment Unit

The House and Senate Subcommittees reviewing the SRS budget and the budget of the Juvenile Justice Authority asked that this Department review issues around the closure of CETU. Specifically, the House Subcommittee asked that SRS make recommendations for review during the Omnibus Session addressing the need for replacement beds. The Senate Subcommittee requested that the Department address the issue of the availability of Medicaid funding for services previously provided through the CETU.

Update on CETU Closure

The CETU will close by May 17, 1997, the same date by which Topeka State Hospital will be closed. Admissions to CETU were closed in January. Since November, when it was announced that CETU would close, there have been 28 youth served in CETU. Of the youth served, approximately one-half came to CETU from a youth center, with the remainder placed through SRS area offices. This percentage is consistent with trends over the last 18 months. Of the 17 youth released from CETU during this time period, only 5 have been placed in a youth center. Of the 11 youth remaining in CETU, only 4 will be placed back to a youth center. An additional nine have or will be placed in group home settings, six will go home, and the remainder will be placed in foster or adoptive homes.

Because the CETU has been used to serve both youth center residents needing specialized mental health services, and as a placement option for youth in the community, the closure impacts the youth centers, but not to the degree of a 30-bed loss. As a result of the closure, CETU will no longer be a placement option for youth center residents. A total of nine youth will move from CETU to the youth centers by the time closure is completed. At the same time, resources and beds have been dedicated at the Youth Centers at Beloit, Larned and Topeka for specialized mental health services. As a result the capacity of the youth centers to meet the mental health needs of the youth in residence will be increased with a minimal effect on total capacity. This does not mitigate issues which exist around length of stay at the youth centers, but the closure of CETU in isolation does not substantially impact those lengths of stay.

Pregnant Offenders

The CETU has been used as a placement for pregnant offenders during the last trimester of pregnancy. After the birth of the infant, when the offender has not yet completed her program, she is returned to the Youth Center at Beloit and the infant is typically placed

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with relatives until the juvenile's release from the youth center.

We are in the process of developing provider agreements with residential maternity homes and group and residential homes to address the third trimester needs of the 8 - 10 Youth Center at Beloit residents who are pregnant during a year. Under these provider agreements, the youth will be transferred to a specialized program for the last trimester of her pregnancy, and then returned to the youth center to complete her program after the birth of the infant. The Youth Center will determine the most appropriate placement based on the level of security necessary for the offender, and appropriate geographic placements. These placements will allow specialized providers to address specific issues around pregnancy, parenting and separation.

Discussion with Community-Based Juvenile Offender Providers

There has been a waiting list for Level V residential beds in the community for juvenile offenders. Commissioner Markowitz met recently with a number of group and residential homes in March to discuss the waiting list for placements. The community providers clearly indicated that capacity does exist in the community to serve these juvenile offenders without the addition of any new beds in the current system. The providers have committed to working with particular area offices to address these waiting lists and provide appropriate placements for juvenile offenders. These actions will increase the availability of community-based alternatives for appropriate offenders. Community providers clearly believe that there are sufficient resources available to provide these services without the addition of new beds. Issues related to privatization in the children in need of care arena and provider uncertain about the transition to the Juvenile Justice Authority have impacted the availability of community-based options for juvenile offenders.

Medicaid Funding

SRS has received favorable responses from the Health Care Financing Administration concerning the eligibility of youth in Juvenile Justice Authority custody served in **community-based settings** to qualify for Medicaid. The Department will be amending its state plan to include juvenile justice authority custody as a placement. What this means is that the Juvenile Justice Authority should be able to access Medicaid funding for community-based placements in the same manner that SRS has been able to, and the youth will continue to have the same access to a medical card.

Review of CETU Alternatives

At the request of the Legislature the Department has reviewed alternatives for establishment of a CETU at an existing state facility and alternatives to alleviate the impact of the closure on youth center capacity. Discussion of the options which we reviewed

follows.

Option 1: Creation of a New CETU at an Existing State Facility

State Hospital Site: We looked at the possibility of creating a CETU unit at either Larned or Osawatomie State Hospital. At Larned, the hospital does not have an available building or space to accommodate an expansion of youth center beds. At Osawatomie, there would be space available in either the Rush or Biddle Buildings for such a unit. However, extensive rehabilitation of both buildings would be required to meet required levels of security. In addition, since the children's adolescent unit has closed, the school at Osawatomie is also scheduled to close. ***The Department does not recommend this option based on security issues and the costs to remodel the facility to provide for an appropriate unit.***

Youth Center Site: The only youth center that could accommodate a new unit would be the Youth Center at Beloit, where Grandview Cottage could be re-opened to accommodate 12 - 16 offenders. The CETU closure only impacted six female beds. ***The Department does not recommend this option based on the limited impact of the CETU closure on female beds. It is not recommended that male offenders be moved to the Youth Center at Beloit.***

Option 2: Adding Beds at Existing Youth Centers to Alleviate Bed Loss

The House Subcommittee also asked that the Department explore the potential to add beds at the youth centers to alleviate the loss of beds which occurs due to movement of the CETU to three of the youth centers. The youth centers continue to operate at or above census. An architectural review did not identify areas where additional beds could be added in a manner consistent with facility operations. ***It is not recommended that the additional beds be added at the youth centers. The closure of the CETU has not had a major impact upon the youth center census.***

Option 3: Community-Based Services for Appropriate Offenders

Approximately one-half of the placements at CETU are referrals from area SRS offices, and approximately one-half are referrals from youth centers. In many cases, the referral from the area office has occurred because of the lack of a community placement resource, or the perception that the CETU is the most viable placement option. As noted above, the Commission has been actively working with community-based residential providers to increase the availability of placement resources for juvenile offenders. The Department believes that sufficient community capacity exists to serve more youth in the community. Community alternatives to placement at the youth center for those youth who are not direct court commitments alleviates the stress on the youth center system.

One new placement option which the Commissioner of Juvenile Justice may wish to

explore is the Labette County bootcamp, which serves youthful offenders aged 16 and older. According to officials at the bootcamp, the facility could provide up to 30 juvenile offender beds. The facility already includes GED education programming, substance abuse treatment, and physical fitness training. ***The Commissioner of Juvenile Justice may wish to explore this option and define parameters for placement of youth at the boot camp.***

Option 4: Purchase of Specialized Mental Health Services and Pregnancy Services in the Community for Appropriate Offenders

As noted, SRS will enter into provider agreements for services to pregnant offenders in their last trimester of pregnancy. Similar provider agreements are also entered into for specialized mental health services when such services are needed by a youth in the Secretary's custody. It is anticipated that needs which cannot be met within the youth centers will be addressed through such agreements. Purchase of service dollars were identified for transfer to the Juvenile Justice Authority and included in the Governor's recommendations. In addition, services for youth in the community which can be purchased through the medical card are not impacted by the transfer to JJA.

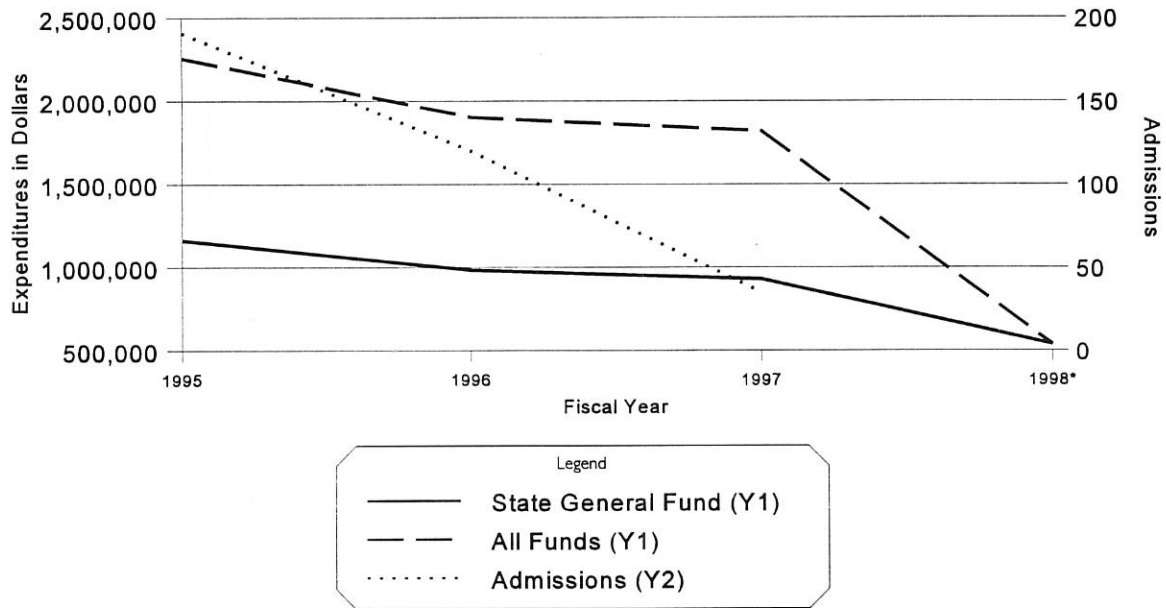
Conclusion

In summary, the Department believes that its original decision to close CETU was a sound one given available options. The closure affords the opportunity to enhance the mental health capacity at the youth centers without significantly impacting the census at the youth centers. Longstanding security concerns which existed at the CETU are addressed, and cost-efficiencies associated with elimination of the separate administrative structure are realized. In total, more youth will have access to mental health services under this design than in the past. Services to pregnant offenders and services to offenders needing other specialized services can be purchased from community-based providers, and Medicaid match should continue to be available for such services.

Funding to purchase services in the community are included in the funding transferred from SRS to the Juvenile Justice Authority in the Governor's FY 1998 budget. The Juvenile Justice Authority has asked the Legislature to consider the addition of \$1.0 million in funding related to the CETU closure. SRS maintains that resources included for transfer to the JJA are sufficient to address issues related to CETU closure. Should the Legislature choose to authorize this additional funding, the Commissioner of Juvenile Justice would have the opportunity to explore a number of options related to community-based alternatives to placements in youth centers, impacting census and length of stay at the facilities.

COMPREHENSIVE EVALUATION AND TREATMENT UNIT

FY 1995-FY 1998



* Recommended for transfer to Juvenile Justice Authority.

	<u>FY 1995</u>	<u>FY 1996</u>	<u>FY 1997</u>	<u>FY 1998</u>
CETU Admissions	191	120	38	
State General Fund	\$ 1,161,810	\$ 983,981	\$ 928,905	\$ 538,612
All Funds	2,255,894	1,900,981	1,819,421	538,612

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