

MINUTES OF THE HOUSE COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE .

The meeting was called to order by Chairperson Ward Loyd at 1:30 p.m. on January 16, 2003 in Room 526-S of the Capitol.

All members were present except:

Representative Nile Dillmore - Excused

Committee staff present:

Jill Wolters - Office of Revisor

Mitch Rice - Office of Revisor

Jerry Ann Donaldson - Legislative Research Department

Martha Dorsey - Legislative Research Department

Bev Renner - Committee Secretary

Martha Dorsey, Legislative Research gave a review of the issues considered during the interim in the Joint Committee on Corrections and Juvenile Justice Oversight. (Copies of Committee Reports to the 2002 Kansas Legislature are located in the Legislative Research Department.) The committee strongly recommended that the 2003 legislature consider prison capacity issues among its highest priorities. Essentially the committee advised that new prison space should be built or a way must be found to modify sentencing to free up existing space.

During the interim, meetings were held at various locations across the state where topics of discussion were offered by the Department of Corrections and the Juvenile Justice Authority. These items of interest included offender programs, re-entry programs and community-supervision issues. Budget and policy issues are very difficult to separate. Once significant budget cuts are made, policy areas will be affected.

Population and capacity issues were prominent during the session. Total inmate population represent 98 percent of total capacity. Various graphs were shown to indicate fluctuation in inmate population vs. capacity and the steady rise in utilization rates. The Kansas Sentencing Commission is charged with the duty of making projections on a yearly basis. 2003 guidelines were modified upwards significantly, making it clear that by fiscal year 2005 a severe space problem can be expected. The Sentencing Commission came up with recommendations on how to deal with drug offenders who are non-violent; to shift them from incarceration to mandatory treatment. The Interim committee did not forward this as a recommendation. Absent making changes to release bed space at this time, the 2003 legislature will need to act this session to create additional prison capacity or to alter sentencing laws in a manner that would reduce significantly the growth in the number of inmates entering or returning to prison. The Interim Committee authorized legislation to be drafted and introduced in the Senate without recommendation to expand the El Dorado Correctional Facility.

The Interim Committee authorized the introduction of four additional bills:

- 1) Authorization of the Commissioner of JJA to establish standards for training and certifying juvenile correctional officers.
- 2) Allowance of a sentence modification for a juvenile offender to be made in certain medical circumstances.
- 3) Creation of a new juvenile justice advisory board.
- 4) Amending the authorizing statute to extend the Joint Committee on Corrections and Juvenile Justice Oversight for two years beyond its sunset.

Jerry Donaldson, Legislative Research presented the committee with information about issues covered in the Interim by the Special Committee on Judiciary.

**Medicaid Fraud** - the committee concluded that no credible evidence of substantial medicaid fraud was presented. Methods should be developed to avoid unnecessary payments and recovery of moneys that have been inappropriately paid, as well as, a whistle blower provision; but, the committee recommended that no action be taken at this time.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE at 1:30 p.m. on January 16, 2003 in Room 526-S of the Capitol.

**Licensure of Private Security Guards** - the Committee expressed concern about the lack of a statewide uniform regulation regarding licensure of security guards and the lack of training for the service that security guards provide. The committee encouraged local units of government to consider adoption of rules and regulation regarding these individuals.

**Drug Courts** - the Committee acknowledged the value of drug courts as an alternative to incarceration and encouraged the courts to consider looking for federal funds to aid in the implementation of drug programs.

The committee meeting adjourned at 2:40 p.m. The next meeting is scheduled for January 22, 2003.

