

Approved: 11-23-05 Date

MINUTES OF THE HOUSE CORRECTIONS & JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Ward Loyd at 1:30 P.M. on March 8, 2005 in Room 241-N of the Capitol.

All members were present except:  
Mike Peterson- excused

Committee staff present:  
Jill Wolters, Revisor of Statutes Office  
Diana Lee, Revisor of Statutes Office  
Jerry Ann Donaldson, Kansas Legislative Research  
Becky Krahl, Kansas Legislative Research  
Reagan Cussimano, Kansas Legislative Research  
Connie Burns, Committee Secretary

Conferees appearing before the committee:  
Tim Madden, KDOC  
Candy Shively, SRS  
Keven Pellant, KDOC  
Linda Kenney, KDHE  
Sister Therese Bangert, KS Catholic Conference  
Diane Oakes, Girl Scouts of Kaw Valley Council  
Margaret Moore, Girl Scouts of Kaw Valley Council

Others attending:  
See attached list.

Diane Oakes and Margaret Moore, Girl Scouts of Kaw Valley Council, provided the committee with an overview of the program "Girl Scouts Beyond Bars" that is offered at the Topeka Correctional Facility. (Attachment 1) Currently 110 girls and 71 mothers participate in the program. This program is structured so that inmates earn the privilege of joining the Girl Scout troop, once eligible they meet once a week with Girl Scout staff and community volunteers learning and planning activities for their daughters. During the planning sessions, inmates complete Girl Scout leader training, learn parenting skills, discuss age-level appropriate activities, and explore topics that they will soon teach their daughters. Client outcomes, a KC Starr article, a brochure highlighting the program, and the annual budget for 2005 were provided to the committee. To accomplish this goal the Council has a request for \$100,000 to fund this program.

**SB 47 – Dissemination of department of corrections rules and regulations to inmates.**

Chairman Loyd opened the hearing on **SB 47**.

Tim Madden, KDOC Senior Legal Counsel, appeared before the committee in support of the bill. (Attachment 2) The bill amends KSA 75-5210 to eliminate the statutory requirement of providing each inmate with his or her personal copy of the department's disciplinary rules and regulations. The disciplinary rules and procedures would be made available to inmates in the same manner as the other regulations of the department thru inmate libraries or any other means that provides reasonable access to inmates.

Chairman Loyd closed the hearing on **SB 47**.

**SB 30 – Exercising the state's option to provide an exemption to disqualification for public assistance to certain drug offenders.**

Chairman Loyd opened the hearing on **SB 30**.

Tim Madden, KDOC Senior Legal Counsel, provided written testimony for Secretary Roger Werholtz in favor of the bill. ([Attachment 3](#))

Keven Pellant, KDOC Deputy Secretary of Community and Field Services, spoke in favor of the bill. ([Attachment 4](#)) The bill allows offenders who have been convicted of a controlled substance related felony to receive Temporary Assistance to Needy Families (TANF). This means that offenders would be able to provide for their children through the food stamp program and child care while the offender was being trained for a work skill or beginning work after being incarcerated for their offense.

Candy Shively, Deputy Secretary, SRS, testified in support of the bill. ([Attachment 5](#)) The bill would help stabilized families and reduce prison recidivism by allowing former drug felons to receive public assistance upon release from prison, if they are otherwise eligible. The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), also known as federal welfare reform, prohibits persons convicted of a drug felony from receiving TANF cash and employment services. Medical Assistance is not prohibited. This lifetime ban applies only to persons convicted of drug offenses but not to felons convicted of other more violent types of offenses. Federal law contains a provision which allows states to override the ban against drug felons. The bill was crafted to limit assistance to drug felons who have completed or are participating in a licensed substance abuse program.

Linda Kenney, KDHE, appeared in support of the bill. ([Attachment 6](#)) KDHE is concerned that denial of food and other assistance to persons with past convictions may result not only in hardship such as poor nutrition and hunger for the individual (male or female) but also contribute to recidivism impacting their children and families. These noted assistance programs are designed to temporarily help individuals as they work to become self-reliant.

Sister Therese Bangert, Kansas Catholic Conference, appeared in support of the bill. ([Attachment 7](#))

Bea Megathan, provided written testimony in support of the bill. ([Attachment 8](#))

Chairman Loyd opened the hearing on **SB 30**.

**SB 47 – Dissemination of department of corrections rules and regulations to inmates.**

Representative Kelsey made the motion to move **SB 476** out favorably and be placed on the consent calendar as the bill is non controversial. Representative Pauls seconded the motion. The motion carried. Representative Owens was recorded as voting no.

The meeting was adjourned at 2:50 pm. The next meeting is March 9, 2005.

**HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE  
GUEST LIST**

DATE 3-8-05

NAME	REPRESENTING
Tim Madden	KDOC
Kevin Pellant	KDOC
Margaret Moore	Girl Scout
Cuzame Mayo Theres	K-State - Girl Scout
Alessia West	Girl Scouts
Bethany Parker	Girl Scouts
Brenda Harmon	KSC
Sister Therese Bangett	Ko. Cath Conference
Richard Samway	Klaney & Assoc.
BILL MICKELL	JJA
Candy Shively	SRS
Bobbi Mariani	SRS
Patsy Ramirez	
Diana Carrillo	
Katherine Fuller	Girl Scouts
Mark Gleeson	Judicial Branch
Sarah Richardson	Girl Scouts
Dawn Hinson	Girl Scouts
Kim Lynch	Girl Scouts - BLUESTEM CON WC IL
Becky Simpson	" "
Angere Miller	Damon & Assoc.
Sheri Schoenebeck	Girl Scouts / Wichita area
Virginia Jacobs	Girl Scouts Sunflower Council - HAYS
Heather Schuster	Girl Scouts Sunflower Council









Diane Oakes, CEO  
Girl Scouts of Kaw Valley Council  
PO Box 4514  
Topeka, KS 66604  
(785) 273-3100 ext 31.

**Beyond Bars: Helping Incarcerated Mothers and their Daughters Build  
Strong Bonds**  
March 8, 2005

Thank you for allowing me to speak on behalf of the Girl Scout councils who bring the Beyond Bars program to inmates at the Topeka Correctional Facility. Currently, 110 girls and 71 mothers participate in this phenomenal program, designed to soften the harsh realities of having a mother in prison. We have all heard the statistics: children of incarcerated parents are six times more likely than other children to encounter the criminal justice system themselves. Girls of incarcerated mothers have a 60% teen pregnancy rate (Crawford, 2003) as opposed to 4.3% in the general population (Kansas Action for Children, 2004); and a 35% drop out rate (Trice, 1997) compared to 10% drop out rate in the general population (Kansas Action for Children, 2004). These children often suffer from depression, aggression, poor academic performance and truancy. The trauma of parental separation is profound – even more so when the incarcerated parent is the mother.

The structure of the program is simple. Inmates earn the privilege of joining the Girl Scout troop. Once eligible, they spend every Thursday evening meeting with Girl Scout staff and community volunteers learning and planning activities for their daughters. During these Thursday evening planning sessions, inmates complete Girl Scout leader training, learn parenting skills, discuss age-level appropriate activities, and explore topics they will soon teach their daughters. Then, twice a month, volunteer drivers bring girls to the prison to spend an afternoon with their mothers. The afternoon begins with a communal meal in which time is set-aside for moms and daughters to catch up on one another's lives. Following lunch, the group moves to the prison gym, where the troop meeting begins. Songs, games, learning activities and crafts are all a part of the afternoon events. Activities are designed around such topics as the arts, literacy, physical fitness, body image, character building and leadership. In addition, girls and their moms often have facilitated discussions about family life, violence and drug abuse prevention. For example, girls recently earned the **In the Zone!** patch. **In the Zone** is a national Girl Scout substance abuse prevention program. In preparation for this activity, inmates underwent a 6 week program provided by the Shawnee Regional Preventions and Recovery Services during which time the inmates examined their own substance abuse issues (80% of the inmates are

...serving time for drug related crimes) and had frank discussions about strategies for teaching their daughters how **not** to follow in their footsteps. Upon completion of the program one mother, commented, "I knew everything there was to know about drugs...except how to talk to my teenage daughter about **not** using them. Thank you."

The demand for services continues to increase. This program began locally in 1996 with six girls and their moms. Today we are serving 110 girls and 71 moms and have, for the first time, families on a list waiting to join the program.

The success of the program can be seen in the eyes of the children. Girls often enter the program with ambiguous feelings toward their mothers. Some are stoic, reserved – others act as caretakers for their moms. After some time, however, the roles reverse and girls allow their mothers to care for them. When girls cry and mothers console, we know we are successful. Some sense of normalcy has returned to the family. We know that nationwide, the following outcomes have been noted:<sup>1</sup>

- Girls tend to feel less anger about their mothers and their behavior at home and in school improves.
- Girls watch their mothers lead activities and feel proud of them – sometimes for the first time
- Mothers police themselves more in prison because they don't want to lose privileges or miss a Girl Scout meeting.
- Mothers become more goal-oriented and their children appear to mean more to them.

In 2004, Girl Scouts invested approximately \$93,000 in support of this program. Of that amount, \$40,000 was granted from GSUSA (through federal dollars secured through Department of Justice grants), support from local United Ways, City of Manhattan, corporate support and the council operating budget. We anticipate the cost to fully fund the program in 2005 to be \$135,000, the increase reflective of anticipated increase in participants, need for additional staffing and increase in transportation costs. In addition, grant dollars have been reduced in 2005 and we have been told to expect decreased funding from the United Way as well. The council is also facing a \$90,000 revenue shortfall from the 2005 GS cookie sale, further increasing our need for state dollars.

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<sup>1</sup> Girl Scouts of Kaw Valley Council has recently entered into collaboration with faculty at Kansas State University, the goal of which is to develop measurable outcomes and track the long-term impact of program participation on girls and their moms. Nationally, we believe that Beyond Bars participants are less likely to return to prison. We are seeking assistance from Kansas State to help us track this data.

In 2005 we anticipate investing \$1,080 per girl (125 girl participants.) Compare this number to the \$56,000 per year it costs the state of Kansas to incarcerate a youth offender . We believe the service provided to the state of Kansas and its citizens warrants the state investment in this program.

We are asking the state to provide \$100,000 to help fund this program. Girl Scouts has a 90-year tradition of meeting the needs of girls. This program provides all the best that Girl Scouts has to offer through sound values based curriculum, and strong volunteer involvement and community support. We are committed to continuing to meet the needs of girls and their families, but need some financial assistance to accomplish this goal.

I will be happy to provide any additional information or respond to any questions.  
Thank you.

**For additional information contact:**

Diane Oakes

CEO

Girl Scouts of Kaw Valley Council

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Topeka, KS 66604

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7885 273-3100 ext 31



**Program:** Beyond Bars (Comprehensive Program)  
**Date:** 2005 Client Outcomes (Participant Development)

PROCESS →			OUTCOMES →		
RESOURCES (Inputs)	ACTIVITIES (Process)	OUTPUTS (numeric achievements)		IMMEDIATE (short-term)	ULTIMATE (long-range)
<ul style="list-style-type: none"> <li>• Inmates</li> <li>• Daughters</li> <li>• Topeka Correctional Facility</li> <li>• Correctional Staff</li> <li>• GS program materials</li> <li>• Volunteer trainers</li> <li>• Drivers</li> <li>• Troop leaders</li> <li>• GSBBProgram Coordinator</li> <li>• Community Development Manager</li> <li>• GS program facilities</li> <li>• Corporate sponsors</li> <li>• GS Councils, staff and volunteers from Wichita, Kansas City, Salina, Topeka</li> </ul>	<ul style="list-style-type: none"> <li>• Recruitment and marketing efforts at correctional facility</li> <li>• Correctional facility training of adult volunteers/staff</li> <li>• GS Leader training for adult inmates</li> <li>• Weekly GS leader meetings/mentoring groups</li> <li>• Twice monthly girl/adult meetings designed around GS curriculum</li> <li>• Girls participation in group activities, meetings, council events in their hometowns</li> <li>• Cookie Sale Program participation</li> </ul>	<p>2004 Actual</p> <ul style="list-style-type: none"> <li>• 45 trained leaders (inmates)</li> <li>• 75 girl participants</li> <li>• 24 mother/daughter meetings</li> <li>• 35 adult planning/mentoring sessions (adult skill development sessions: <i>planning, time management, assertive communications, planning age level appropriate programs</i> )</li> </ul>	<p>2005 Targets</p> <ul style="list-style-type: none"> <li>• 50 trained leaders (inmates)</li> <li>• 85 girl participants</li> <li>• 24 mother/daughter meetings</li> <li>• 35 adult planning/mentoring sessions (adult skill development sessions: <i>planning, time management, assertive communications, planning age level appropriate programs</i> )</li> </ul>	<p>Mothers and daughters utilize appropriate conflict management skills.</p> <p>Girls are better at communicating with their mothers.</p> <p>Mothers understand age-level appropriate behaviors.</p> <p>Mothers and daughters will practice assertive communication.</p> <p>Mothers and daughters will demonstrate leadership skills.</p>	<p>Mothers and daughters will preserve and/or enhance a healthy parent child relationship.</p> <p>Mothers and Daughters will make choices that lead to healthy, positive lifestyles.</p>

Outcome	Indicator	2005 Targets	Data Source
<p><b>Immediate:</b></p> <p>Mothers and daughters utilize appropriate conflict management skills.</p> <p>Girls are better at communicating with their mothers.</p> <p>Mothers understand age-level appropriate behaviors.</p> <p>Mothers and daughters will practice assertive communication.</p> <p>Mothers and daughters will demonstrate leadership skills.</p> <p><b>Long Range</b></p> <p>Mothers and daughters will preserve and/or enhance a healthy parent child relationship.</p> <p>Mothers and Daughters will make choices that lead to healthy, positive lifestyles.</p>	<p># and/or % of girls who complete assertiveness and conflict management training</p> <p># and/or % of mothers who can define and plan age level appropriate activities.</p> <p># and/or # of girls who express (self-report) satisfactory acquisition of planning, time management, assertive communication (leadership) skills.</p> <p># and/or % of girls who increase participation in school events/community service projects; raise grades</p> <p># and/or % of adults/girls who express (self-report) increase in satisfaction with their relationship (increased visitations; correspondence; displays of affection, respectful communications)</p> <p># and/or % of girls who engage in anti-social behavior as indicated by school reports</p>	<p>80% girls</p> <p>90% adults</p> <p>75% girls/90% adults</p> <p>60% girls</p> <p>75% girls/adults</p> <p>&gt;15% girls</p>	<p>Surveys Pre and Post – attitudes about relationships, leadership</p> <p>Assertiveness Course/Quiz</p> <p>School records (report cards)</p> <p>GS troop accomplishments (awards earned)</p>

Girl Scouts Beyond Bars  
Budget Worksheet  
January 3, 2005 - December 30, 2005  
Girl Scouts of Kaw Valley Council

Council's Chart of Accounts Reference	Descriptions	Budget Request Amount		%
<b>Direct Costs</b>				
<b>Salaries</b>				
			<b>Notes</b>	
7001	Exempt Salaries	\$ 49,000	1	
7006	Temporary Staff	\$ 25,000	2	
	<b>Total</b>	<b>\$ 74,000</b>		<b>54.50%</b>
<b>Fringe Benefits</b>				
7100-7199	Benefits	\$ 9,620		
7200-7299	Payroll Taxes	\$ 6,660		
	<b>Total</b>	<b>\$ 16,280</b>		<b>11.99%</b>
	<b>Total Salaries and Benefits</b>	<b>\$ 90,280</b>		<b>66.49%</b>
<b>Other Direct Costs</b>				
7099	Contract Hire	\$ 1,000	3	0.74%
<b>Printing and Materials</b>				
8600-8699	Printing and Publications	\$ -		0.00%
<b>Supplies and Consumables</b>				
8104	Food & Beverages	\$ 9,000		
8106	Office	\$ 100		
8130	Health	\$ 250		
8150	Program	\$ 5,000		
8151	Training	\$ 500	4	
8300-8399	Postage/Shipping	\$ 100		
8460	Rental of Program Facilities	\$ -		
8900-8999	Specific Assistance	\$ 2,000	5	
9340	Camper Insurance	\$ -		
	<b>Total</b>	<b>\$ 16,950</b>		<b>12.48%</b>
<b>Travel</b>				
8706	Leasing Vehicle Costs	\$ 15,000	6	
8707	Mileage Allowance	\$ 2,500	7	
8720	Charter Vehicles	\$ -		
	<b>Total</b>	<b>\$ 17,500</b>		<b>12.89%</b>
	<b>Total Direct Costs</b>	<b>\$ 125,730</b>		<b>92.59%</b>
	Indirect Cost	\$ 10,058	8	
	<b>Total Costs</b>	<b>\$ 135,788</b>		<b>100.00%</b>
1 Expansion of staff time for guardian relations work.				
2 Reimbursement to partner councils for program staff to serve girls in home communities.				
3 Fees for professional services: drug counselors, etc.				
4 Training costs for vol drivers				
5 Membership fees, scholarships for events, camps for girls				
6 Lease vans to transport girls				
7 Mileage reimbursement for staff-guardian visits; reimburse volunteers driving own vehicles.				
8 Man and adm costs =8%				





# Girl Scouts *Beyond Bars*

*Helping incarcerated mothers and their daughters BUILD STRONG BONDS*

Children of incarcerated parents are six times more likely than other children to encounter the criminal justice system themselves. They often suffer from depression, aggression, poor academic performance and truancy. The trauma of parental separation is profound – even more so when the incarcerated parent is the mother. *Girl Scouts Beyond Bars* (GSBB) addresses and attempts to prevent these negative outcomes.



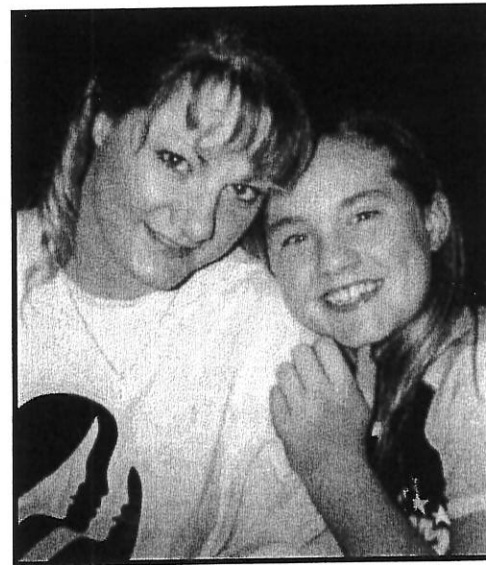
Instituted in 1992 by the Girl Scout Council of Central Maryland in partnership with the U.S. Department of Justice's National Institute of Justice, GSBB provides girls a bi-weekly opportunity to visit their incarcerated mothers and take part in a mother/daughter Girl Scout meeting. Troop meeting activities center around such topics as the arts, literacy, physical fitness and body image, character building, and leadership. In addition, the girls and their mothers often have facilitated discussions about family life, violence, and drug-abuse prevention. In Kansas, the GSBB program has been in place since 1996 and has grown to serve over 70 girls and their incarcerated mothers annually.

### ***Girl Scouts Beyond Bars — benefits everyone***

For many girls and their incarcerated mothers, *Girl Scouts Beyond Bars* is the only program that addresses their unique family needs in a way that honors and supports family ties. GSBB preserves the mother/daughter relationship during incarceration through planned visitations and opportunities for growth. It is also an initiative that helps break the cycle of intergenerational incarceration.

The four fundamental program goals of Girl Scouting are to:

- To help each girl develop to her full potential.
- To help each girl relate to others with increasing understanding, skill and respect.
- To help each girl develop values to guide her actions and decisions.
- To help each girl contribute to society through the use of her abilities and leadership skills.



*Girl Scouts Beyond Bars* also benefits participating mothers. Through GSBB, mothers develop skills in leadership, conflict resolution and parenting, all of which are critical to their success in family life and employment after incarceration.



Girl Scout program activities and meetings  
create a venue for nurturing relationships to develop.

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### ***Girl Scouts Beyond Bars — a statewide effort***

Girl Scouts Beyond Bars program relies on many partners to serve girl participants and their mothers at the Topeka Correctional Facility.

Partners include:

Girl Scouts of Kaw Valley Council (Topeka), Girl Scouts of the Golden Plains (Wichita), Girl Scouts of Mid-Continent Council (Kansas City), Girl Scouts of Central Kansas Council (Salina), Girl Scouts of Wheatbelt Council (Hutchinson), and Girl Scouts of Blue Stem Council (Independence), Kansas Department of Corrections, Kansas State University, Shawnee Regional Prevention Services.

In addition to the partnering agencies, GSBB relies on volunteers from across the state to provide transportation for the girls to Topeka twice a month for the troop meetings with the mothers at the correctional facility.

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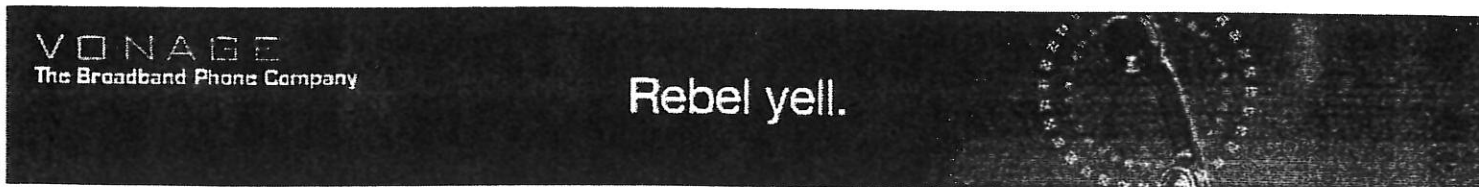
## THE KANSAS CITY STAR.

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Sunday, Jan 23, 2005

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## Living/FYI

Posted on Sun, Jan. 23, 2005

### Mothering BEYOND the BARS

Girl Scout program strengthens links between daughters and mothers in prison

By TONI WOOD  
Special to The Star

[View the 11 picture slideshow](#)

**Excerpt from a hand-written letter to a reporter: "If it wasn't for the Girl Scouts Beyond Bars program, I wouldn't be able to see my children very much, since they live three hours away. My parents do the best they can, but GSBB goes to my family's house and picks them up and takes them back home at no charge to us inmates or our families. "We are allowed to eat a balanced meal with our daughters and do crafts and fun games with them so they can remember the fun times they have with us. We get to spend three hours twice a month being a parent, bonding with our girls and teaching each other better ways to solve our problems. The GSBB leaders talk to us about our parenting skills if they see we need help. "They bring in positive people to teach us and our children how to deal with our problems and how to communicate and be a better parent to our children. GSBB has given me the chance to realize prison is what you make of it. If you choose to help yourself and work on yourself there are a few programs here to help you. It's your choice. Or you can spend your time being angry and blaming others for your troubles. "When I get out, I have the opportunity to stay in the program and give back what I learned, and know I have people out there for me if I need some help."**

— *Written by Sharon Lenz, 46, an inmate at the Topeka Correctional Facility and mother of three teenagers*

**HAMILTON**  
MORTGAGE

ozens of girls pile out of vans and cars and gather two-by-two at the entrance of the Topeka women's prison.

- Brar
- Colorado
- Visitor's Guide
- Ski Reports
- TeenStar

Opinion

EXTRAS

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VALENTINE'S GIFT GUIDE



Find that perfect gift for your Valentine.

- Take me to the Valentine's Gift Guide

SUMMER'S COMING!



FYI is compiling a guide to children's day camps and area enrichment classes. Find out how to submit your camp.

- Submit my camp!

ROCKY MOUNTAIN SKI GUIDE

- Key to the Rockies Lodging Company
- Peak Property Management
- ResortQuest Breckenridge

**D** It's 1 p.m. on a Saturday, just about the happiest afternoon of the month, because it's time for the Girl Scout meeting.

Even better, it's time for the girls to go inside the Topeka Correctional Facility to see their mothers.

From the shortest Daisies and Brownies to the tallest teenagers, the Girl Scouts make a procession past the front desk correctional officers and along a covered sidewalk.

Across the prison grounds, the girls' mothers watch through the windows of their dormitories. They've put on makeup and done their hair. They are wearing their best T-shirts and jeans.

Their faces are pressed to the glass, and their hearts are ready to burst.

"We wait at the window like little puppies," says Chantell Mullins, who watches for her two teenage daughters.

Once the girls are in the gymnasium of the educational building, the mothers are allowed to walk inside and greet them.

"Oh, they look so pretty!" one mother exclaims as she sees her daughter across the room.

She covers her mouth with both hands, and her eyes fill with tears.

The girls and mothers come together in a scene that is intensely primal. Some fly into each other's arms, and some walk slowly toward each other and lock into a long embrace.

"There are really no words to explain what it's like," one mother, Nancy LaRue, says in a whisper. "I can't say. There are just no words."

It took Girl Scouts of the USA, an organization that promotes strong character and skills for 2.8 million girls, to recognize that this small population of girls might need an extra dose of support.

"Children with incarcerated parents are four to six times more likely than their peers to become incarcerated themselves," said Cindy Beals, program coordinator for the Mid-Continent Council that serves Girl Scouts in the Kansas City region. "They're more likely to experience depression, anxiety, attention disorders and teen pregnancy."

The first Beyond Bars program, designed to soften the harsh effects of having a mother in prison, was set up in Baltimore in 1992. Four years later a graduate student from the University of Kansas took the concept into the Topeka prison, starting with six moms and their daughters.

"Even on that very small scale, you could see the impact," said Diane Oakes, chief executive officer of the Girl Scouts of Kaw Valley Council, which serves Topeka and northeast Kansas.

A tenacious staff member in that Topeka office, Margaret Moore, was assigned to keep the program going.

"Margaret is who Margaret is, and she saw the potential in the program," Oakes said. "Six families were just not going to suffice."

Moore began to build trust, one person at a time. She needed the trust of women inmates, prison officials and leaders of other Girl Scout councils in Kansas.

Most important, she needed the trust of the girls and their guardians. She drove to each of the girls' homes to ask their guardians, "Could we please take this child into the prison for Girl Scout meetings?"

- Resort Steamboat

The guardians were often amazed that this stranger had taken so much trouble to come sit in their lives. Moms and ask permission, and they often said yes.

- Colorado Rocky Mountain Resort

- Steamboat Springs Chamber of Commerce

In 2004, 71 mothers at the Topeka prison and 110 girls from throughout Kansas were part of Girl Scouts Beyond Bars. That included 18 girls from the Kansas City area.

**BRANSON ADVERTORIALS**

Sometimes it can seem overwhelming to Moore, who never dreamed the program would look like this. But thanks to a federal grant, Girl Scouts was able to hire Nina Keeler in recent months to help shoulder the load.

- ReserveBranson.com

Like Moore, Keeler is devoted to the girls and their mothers, to the point of going out of town to attend their basketball games and dance recitals.

**YOUR PETS**

Do you have a special pet? Let us know.

They want to see a difference in these girls.

- Give us your Pet Scoop!

- Holiday Pets Contest

"I wanted to create some type of program so that when a child walks into that room, she is immediately impacted," Moore said. "It's not in what she says, but it shows in her face, her whole countenance.

**KC READS**

Read any good books lately? Tell us about it!

- Discuss Books

- Read the list

"Her expression changes and she says, 'I'm not in this alone. There are a lot of people in here.' "

\*\*\*

**LIVING LINKS**

- KCWeddings Magazine

It's 1:15 p.m. and time for lunch.

- KC Star Anniversary, Wedding and Engagement Announcements

The mothers and daughters lean on each other, brush each other's hair or sit shoulder to shoulder.

- Pickledish.com
- StarInfo: Star Books and Reprints
- Convention and Visitors Bureau of Greater Kansas City

They catch up on news from home, good and bad. They look each other over and comment on shorter haircuts, clothes and shoes, and weight gains and losses.

Occasionally they glance at the clock. The time flies by, and 4 p.m. will come much sooner than they like.

Lunch is often fried chicken, submarine sandwiches or some type of restaurant or deli food that Moore brings to the prison.

This is pure heaven for the moms, who are weary of prison food.

For Shannon Carter, 39, and her three girls, it's a bittersweet meal together. She's in her final six months of a 73-month sentence, and her teenagers are having a rough time with the final stretch.

As she consoles one daughter who is in tears, she says, "It's our last Christmas and our last birthday apart, isn't it Baby? Our last one."

When she gets out of prison, Carter wants to be a recruiter for volunteers to drive Girl Scouts to Topeka for the meetings.

"Whatever it takes, because this program is awesome," she says. "Girl Scouts Beyond Bars has really touched our lives. It gives us the opportunity to be moms.

"In fact, my daughters are bonded with all the moms."

The women and girls know each other so well that moms come to the meetings even if their own daughters don't make it.

On this particular day, that includes Jolene Garrison and Keya Morris.

Garrison, 47, is a seasoned mother with five children, eight grandchildren and three more on the way. She has been away from her family for three years, and she has more than four to go.

She's upbeat and known as the "house mother" of the incarcerated women. Since October she has crocheted seven afghans for family members.

True, her sentence of 111 months is a long one, she says, but she's glad to be alive and safe. Most of the mothers in the program are serving time for selling or possessing drugs, often methamphetamine.

"It took coming to prison for me to get away from the drugs, just to be able to think clearly to where I could make positive changes in my life," Garrison says. "Girl Scouts has helped a lot with that. If I had stayed out there doing the things I was doing, I probably wouldn't be here today."

Morris, 32, has been in and out of the system for 15 years, and she's days away from her release. She has never been the hands-on, primary caregiver to her children, and she says watching these other mothers with their girls has taught her how to relate to her own children.

"I used to be in trouble constantly," she says. "But sometimes in life it's time for a change. It's time to get serious."

That's the kind of support and trust that Girl Scout officials like to see. It's hard to quantify the success of the program, but the national organization plans to attempt it this year.

So how do the Girl Scout leaders know if they've been successful?

"I see girls who come in, and they don't show any type of emotion at first," Moore said. They're stoic, and they assume the role of caretaker for the mothers.

"But somewhere in the program, it changes," she said. "The children are crying, and the mothers are trying to console the children."

It's an unusual mark of success, but it means the girls are turning to their mothers for comfort as part of a normal mother/daughter relationship.

National leaders of the program have noted other results:

- Girls feel less angry about their mothers' incarceration, and their behavior at home improves.
- Girls watch their moms lead activities, and they feel proud of them, sometimes for the first time.
- Mothers "police" themselves more in prison because they don't want to miss a Girl Scout meeting.
- Mothers become more goal-oriented, and their children appear to mean more to them.

In December a legislative assistant from U.S. Sen. Sam Brownback's Washington office visited the mothers in the Topeka prison. LaRochelle Young has assisted Brownback with legislation to reduce the recidivism rate of released prisoners, and the Girl Scouts program captured her attention.

It was "eye-opening and uplifting" to talk with the women, she said.

"We have so many folks coming out of the prison system, and the question becomes, 'Have we prepared these folks to be successful?' If we have not, that's going to contribute to the recidivism rate," she said.

\*\*\*



It's 2:30 p.m. and time for afternoon activities. Today the girls are making fringed winter scarves out of fabric.

But it could be any type of Scout activity. Sometimes the girls work on badges that promote self-esteem, and sometimes they team up with their moms at the karaoke machine.

Today the girls and their moms are sprawled across the gymnasium floor, cutting the edges of the fabric into fringe. Linda Gregory, 47, gets to spend the afternoon with her 10-year-old granddaughter.

The two of them are all smiles as they talk girl talk. Someday they'll go to Gregory's house that she has on the Lake of the Ozarks, and they'll swim and play and bake cookies.

"I just want the house to be filled with kids," Gregory says. "We'll do whatever we want, with nobody tellin' us nothin'."

The teenage daughter of Cynthia Carter, 42, uses the time to bury her face in her mother's arms and receive some much-needed comfort. The girl has to move for the fourth time to another home, and Carter consoles her with an image of the future, when it's just the two of them together.

"She's been through so much since I've been incarcerated," she says. "We've lost out on a lot."

Carter has four daughters, and she treasures a photograph taken last year of herself with her girls. That was the first time she'd been photographed in four years.

"It was like I had disappeared," she says.

The prison houses more than 700 women, the only prison in Kansas for women. Most are in the minimum-security area, and they're in prison because they've committed a felony, usually drug-related.

In this culture you're known by your name, the length of your sentence and how soon you'll get out.

"This is my last year," says Tina Maloney, 37. "I had a 55-month sentence, and I'll be out next January."

She misses her three daughters tremendously, and she pores over her hometown paper to look for news about them. That's how she learned that her daughter's bike had been stolen.

She often catches glimpses of her children's day-to-day lives, and she's filled two photo albums with clippings about her family.

"I've missed their dance recitals, basketball games, volleyball games, swim meets," she says. "My newspaper plays a big part in what I talk to them about when they come. They'll forget to tell me stuff."

Like Maloney, many of the mothers involved in Girl Scouts Behind Bars were primary caregivers before they landed in prison, and they will gradually assume that role again when they're released.

While in prison they often depend on family to care for their children, usually their own mothers, sisters or husbands.

Nancy LaRue, 44, has depended on her mother to care for her daughters while she serves a 60-month sentence. When she's out, she hopes to send her mother on a nice vacation.

Without the Girl Scouts program, some of the mothers would see their children only a few times a year. Prison rules say that people who want to visit inmates must fill out paperwork and be approved by the facility staff, and children must be accompanied by someone older than 18.

Children can visit their mothers on weekends, but getting them to Topeka is often problematic for family members and guardians, who struggle with schedules and driving. If Grandma is taking care of children all week, just as an example, she's often too weary to drive to Topeka on the weekends.

But as part of Girl Scouts Beyond Bars, volunteers drive the girls to Topeka from such places as Iola, Hutchinson, Junction City and Kansas City.

In the Kansas City metropolitan area, there are enough girls to fill two vans, and they have come to know their volunteer drivers well.

One of the drivers is Brenda Jones of Kansas City, Kan., whom the girls call the Purple Lady. She surrounds herself with purple things — her clothes, her cell phone, the Blazer she drives.

Another driver is Michelle Knight, whose sister is one of the incarcerated mothers, Chantell Mullins. Knight is close to her sister, who is known in their family for her playfulness and her good cooking, like the gumbo she makes with sausage, shrimp and chicken.

"She's the mother hen of the family, so all kids love her," Knight says about her sister, who has been in prison more than five years. "Once they get to her house, they never want to come home."

\*\*\*

It's 3:30 p.m., and the mood in the gymnasium shifts. It's heavier, and there is less laughter.

The girls have about 15 minutes left to spend with their mothers, and everyone knows it's time to start saying goodbye.

The mothers and daughters hold each other and cry quietly.

The girls are thinking about their lives "outside," where they have to cope without their moms.

The mothers are thinking about what they miss most. They're thinking of the smallest things, such as fixing breakfast and washing their children's clothes.

"I miss it when you turn around and they're not there," says Sharon Lenz, 46.

Her three teenage girls need her at home, Lenz says. But for now the Girl Scout program is the best chance to see her daughters. "We get to spend three hours twice a month being a parent, bonding with our girls and teaching each other better ways to solve our problems," Lenz said.

"I miss putting my daughter to bed, tucking her in, saying prayers and telling her I love her," says Elizabeth Jordan 33. "It's been so long."

Photographs of Jordan's three children are taped to the bottom of the upper bunk in her prison room, so that she sees them first thing in the morning and last thing at night.

Her 7-year-old daughter, in turn, keeps her mother's letters in a special box back home.

Angela Gross, 30, mother of three, dreams of getting back to simple pleasures.

"I miss our family going to Blockbuster and getting a movie. We used to make a pallet on the floor and get popcorn and ice cream and all kinds of junk food," she says. "All of us would just lie in the middle of the floor and watch the movie."

Approximate number of children in the U.S.

with an incarcerated parent

Sources: Topeka Correctional Facility, Girl Scouts

of Kaw Valley Council, Girl Scouts of the USA,

and Girl Scout Research Institute

**ON THE WEB**


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**Kids Behavioral Problems**

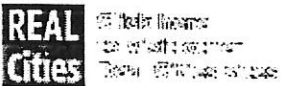
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But those dreams will have to wait.

It's 3:45 p.m., and the women and girls come together in a large circle and hold hands.

On this particular day, they are saying goodbye to a girl whose mother is "graduating" from the prison program, and there are cheers and good wishes.

As a closing tradition, the group sings "Make new friends but keep the old," plus another song they've adapted as their own: "I need you; you need me. You are important to me; I need you to survive."

The minute hand creeps closer to 4 p.m., and it's time for the mothers to leave the gymnasium. Margaret Moore has to be the tough one.

"All right, moms, you need to be gone now."

They walk out of the gymnasium looking straight ahead, braced and wiping away tears.

And finally, it's just Girl Scouts and the leaders in the gym.

"Deep breath. Everybody, take a deep breath," Moore says.

One of the newer girls cannot quit crying, and Moore asks an older girl to help soothe her.

Moore quickly tries to shift the mood to the positive.

"What did you like most about today?" Moore asks.

The Girl Scouts start to think.

"Making the scarves!" one says.

"Lunch!" another offers.

"I liked the story," one says.

And, of course, there's the most powerful thing about the day, the element that goes unspoken: three hours with Mom.

Toni Wood is a freelance writer who lives in Shawnee. To reach her, send e-mail to [sundayfyi@kcstar.com](mailto:sundayfyi@kcstar.com).

***Girl Scouts Beyond Bars by the numbers***

*Girl Scouts in the Topeka program in 2004*

*Mothers involved at the Topeka prison*

*Percent serving time for drug crimes*

*Girl Scouts involved in the program nationally*

*Similar programs in the nation*

*Annual cost for the program at the Topeka prison*





KANSAS

KANSAS DEPARTMENT OF CORRECTIONS  
ROGER WERHOLTZ, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

Testimony on SB 47  
to  
The House Committee on Corrections and Juvenile Justice

By Roger Werholtz  
Secretary  
Kansas Department of Corrections

March 8, 2005

SB 47 amends K.S.A. 75-5210 to eliminate the statutory requirement of providing each inmate with his or her personal copy of the department's disciplinary rules and regulations. Pursuant to SB 47 regulations regarding disciplinary rules and procedures would be made available to inmates in the same manner as the other regulations of the department, through inmate libraries or any other means that provides reasonable access to inmates.

The department is cognizant of the necessity of providing reasonable notice to inmates regarding disciplinary rules and procedures, and reasonable access to those materials. However, the department believes such notice and access can be accomplished through means that do not require dissemination of a personal copy to each inmate. This would be done by placing copies in the inmate library, posting on bulletin boards, making copies available in day rooms, and checking out copies to segregation inmates.

Citizens do not receive a personal copy of statute books or the municipal code. The alternative means of notice and access the department would utilize will provide greater personal access to the inmate rules than citizens enjoy with respect to statutes and municipal ordinances.

Using these types of alternatives would provide reasonable access while printing far fewer copies of the rule books. It would also end the need to reprint the rule book each time there is a change in the rules or procedures, or to distribute a copy of the change to each inmate.

The department prints approximately 22,000 copies of an initial publication of each edition of the department's Inmate Rule Book. The annual reprint of each edition requires the printing of 5,000 to 7,000 copies.

SB 47 was passed by the Senate by a vote of 37 to 3. The Department urges favorable consideration of SB 47.

(3)



# KANSAS

KANSAS DEPARTMENT OF CORRECTIONS  
ROGER WERHOLTZ, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

Testimony on SB 30  
to  
The House Committee on Corrections and Juvenile Justice

By Roger Werholtz  
Secretary  
Kansas Department of Corrections

March 8, 2005

SB 30 exercises Kansas' authority pursuant to 21 U.S.C. § 862a to allow otherwise eligible persons convicted of a controlled substance related felony to receive Temporary Assistance to Needy Families (TANF) and participate in the food stamp program. This allowance is contingent upon either an assessment by a licensed substance abuse treatment provider that the individual does not require substance abuse treatment; or that the individual is either participating in a licensed substance abuse treatment program or has successfully completed treatment. SB 30 is a result of interagency meetings between the Department of Corrections and the Department of Social and Rehabilitation Services.

Congress, in enacting the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, granted states the authority to provide assistance funds and food stamps to persons convicted of the felony possession, use, or distribution of controlled substances provided the state has elected to exclude this prohibition from the eligibility criteria applicable to state residents. Therefore, Kansas has authority to determine whether individuals

who have been convicted of a felony drug offense pursuant to any state or federal law are eligible to receive assistance if the conviction was due to a drug crime committed after August 22, 1996. Thirty-three states have passed legislation to exercise their option to waive or modify this disqualification. SB 30 waives this disqualification contingent upon either the absence of a need for substance abuse treatment determined by a substance abuse treatment provider or the person's completion or participation in a licensed substance abuse program. Therefore, SB 30 directly relates waiver of the disqualification due to a drug offense conviction to the individual addressing his or her substance abuse.

The department believes that it is worth noting that under current law, former offenders who have been convicted of violent crimes are eligible for the benefits that are prohibited to those that have a felony drug history. Under current law, assistance is denied to former drug offenders who have overcome their substance abuse while other released offenders are provided assistance.

Both the Department of Corrections and the Department of Social and Rehabilitation Services support the disqualification waiver provisions of SB 30. The Department's interest is derived from the significant number of female offenders being released from prison after service of sentences for drug offenses. The reintegration of these offenders with their children, with the full assistance offered by the federal Welfare Reform Act, is greatly enhanced and reduces one of the most significant criminogenic factors in recidivism. At the same time, through this assistance these offenders can access job training, which will further enable them to stabilize and reintegrate safely and successfully.

The current disqualification has a significant impact on the dependent families of persons convicted of drug offenses. The impact on a household that is a single parent family with two

children is a reduction of one-third of their potential benefits for a month. The Department's experience is that this type of situation places an extreme amount of stress on a family that is already undergoing the difficult task of successful reintegration.

SB 30 exercises an opportunity afforded by the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, to provide needed federal assistance to otherwise eligible former drug offenders, while at the same time preserving the public's interest in limiting that assistance to persons who have addressed their substance abuse through necessary treatment.

SB 30, as introduced in the Senate, was identical to 2004 Session HB 2727 which passed out of the House last year by a vote of 120 to 5. The Senate in its amendment of SB 30, added the requirement that applicants for assistance submit to urinalysis and that recipients be randomly tested. A positive result would disqualify the person from receiving the assistance provided for by the bill. A disqualified person could reapply for assistance after 30 days.

SB 30 as amended by the Senate passed in the Senate by a vote of 37-3. The Department urges favorable consideration of SB 30 irrespective of the specific requirements imposed for eligibility and would provide any assistance necessary for its implementation.



# KANSAS

KANSAS DEPARTMENT OF CORRECTIONS  
ROGER WERHOLTZ, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

Testimony on Senate Bill No. 30  
To  
House Corrections & Juvenile Justice  
By Keven Pellant  
Deputy Secretary of Community and Field Services  
Kansas Department of Corrections

March 08, 2005

Senate Bill 30 (SB 30) allows offenders who have been convicted of a controlled substance related felony to receive TANF or Temporary Assistance to Needy Families. This temporary assistance really means that offenders would be able to provide for their children's needs through food stamps and childcare while the offender was being trained for a work skill or beginning work after being incarcerated for their offense. Why should offenders have this opportunity? How else will an offender parent truly reintegrate into the community and take responsibility for their children and debts or restitution owed their victims?

The Kansas Department of Corrections' mission statement reflects that we believe that, as a part of the criminal justice system, we will contribute to public safety by supervising offenders in the community and encourage them to become

law-abiding citizens. I would suggest that not only would SB 30 assist the offender to "get on their feet" financially with such support, but would allow them to be accountable to their families and their victims. Without SB 30, offenders are unable to receive assistance to care for their children properly, particularly female offenders who more often than males regain custody of their children after incarceration. Children learn from their parents and from the community, as this committee is well aware. We know that children's behavior often reflects what they have learned. I am asking you to be a part of what these children learn from the community about support and commitment to their future.

Until very recently when I became the Deputy Secretary of Community and Field Services, I had been the Deputy Warden at Topeka Correctional Facility (TCF) for 13 years. Male and female offenders were managed and contained at TCF. I learned that many of them who wanted to change needed some assistance to do so, rather than facing more barriers. To be released from prison, without a job, with little property or even clothing to wear to interviews for employment, can seem pretty daunting, particularly to a mother who shares her income with her children. Offender's parents are raising many of our incarcerated parent's children. This Bill should assist those grandparents, those taxpayers, who are often retired persons who have great hope that their incarcerated adult children will be responsible and take over care and costs of their own children upon release from prison. SB 30 can help the recently released offenders who are actively working to

avoid use of illegal drugs, with financial support for the care of their children, childcare, and job training for themselves so that they can afford to maintain the family unit. Families in Kansas need your vote to approve SB 30 and allows Temporary Assistance to Needy Families, particularly those who are struggling as newly released offenders working to change their lives and the lives of those they love and who love them.

Children of incarcerated parents are a major focus of federal legislation and attention. Assisting reintegrated families might save an offender from returning to prison in defeat, and more importantly, might encourage a child to believe that the community wants to keep them safe and well. Many women, who have served time for drug related convictions in prison have been prevented from receiving TANF assistance, which might have assisted in keeping their family and responsibilities on the right track. Your support of SB 30 allows the State of Kansas to exercise our option to allow offenders assistance to become law abiding tax- payers and support families in need. Thank you for your time and attention to this matter – it is so important.

Kansas Department of

# Social and Rehabilitation Services

Gary Daniels, Acting Secretary

**House Corrections and Juvenile Justice Committee**  
March 8, 2005

**SB 30 - Public Assistance for Persons Convicted of a  
Controlled Substance Felony**

**Integrated Service Delivery**  
Candy Shively, Deputy Secretary  
785-296-3271

For additional information contact:  
Public and Governmental Services Division  
Kyle Kessler, Director of Legislative Affairs

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**Kansas Department of Social and Rehabilitation Services**  
**Gary Daniels, Acting Secretary**

House Corrections and Juvenile Justice Committee  
March 8, 2005

**SB 30 - Public Assistance for Persons Convicted of a Controlled Substance Felony**

Mr. Chairman and members of the Committee, my name is Candy Shively, Deputy Secretary of the Department of Social and Rehabilitation Services (SRS). Thank you for the opportunity to testify in support of SB 30, a Department of Corrections proposal to stabilize families and reduce prison recidivism by allowing former drug felons to receive public assistance upon release from prison, if they are otherwise eligible.

The federal *Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)*, also known as federal welfare reform, prohibits persons convicted of a drug felony from receiving both Food Assistance and Temporary Assistance to Needy Families (TANF) cash and employment services. Medical Assistance is not prohibited. This lifetime ban applies only to persons convicted of drug offenses but not to felons convicted of other more violent types of offenses.

Federal law also contains a provision which allows states to override the ban against drug felons. Thirty-three states have already passed legislation to override the ban. Without some type of assistance to reunite and stabilize the family, children may not be reunited with their parent and recidivism to prison may be increased. States may specify the conditions under which they will provide TANF and food assistance. The Kansas proposal was crafted to limit assistance to drug felons who have completed or are participating in a licensed substance abuse program.

SRS supports this bill because women are the fastest growing prison population and much of this growth is due to nonviolent drug offenses, not involving manufacture or sale of drugs. Ninety-nine percent of single parent households receiving TANF are women. Often parents are released but do not have the resources to reunite with their children and obtain housing, food and utilities. By lifting the ban and providing TANF and food assistance when needed, parents leaving prison will be able to:

- Reestablish a home through receipt of a small cash grant for rent, utilities, and food
- Find a job, though job readiness, training, and job-seeking services
- Receive needed services such as substance abuse treatment, domestic violence services, and mental health counseling

There are currently 150 families in which children receive TANF assistance, but the parent is disqualified due to a drug felony in their past. Enactment of this bill would increase the benefit and help these mothers stabilize their families during the period following prison release. Qualifying for TANF will also provide employment services which will help move these families toward independence and self-sufficiency.

Unlike TANF which is limited to families with children, Food Assistance is available to households without children. Lifting the federal ban against providing Food Assistance to former drug felons will help this population with nutritional needs during the period after release from prison.

This population typically has trouble gaining employment upon release. Without food and the other basic necessities of life during this transition period, the likelihood of returning to drugs or other criminal activity is increased. While there will be some increase in state and federal costs, SRS supports this proposal because it is good public policy.

SB 30 was amended by the Senate to require individuals qualifying under the new provisions to be subject to an initial drug test upon application and random drug screening thereafter. SRS would be required to establish a referral procedure for regular and random drug screens statewide and establish a mechanism to review and process the results. The amendment also requires SRS caseworkers to take action to suspend benefits while awaiting confirmation of an initial positive screen. And, if benefits are denied, applicants would be eligible to apply again in thirty days.

While this bill potentially impacts about 150 individuals - even half of those times twelve - means staff may cycle through the process 840 times a year in the TANF caseload alone. Food assistance cases could double that number. Additional steps in the application and case maintenance process add to the workload of staff who are already burdened with high caseloads. This could affect the timeliness with which SRS processes cases and negatively impact on the error rate -- which staff have worked so hard to reduce. The provisions of the amendment would also duplicate effort as drug testing is currently required as part of the terms of the Department of Correction's probation program.

SRS agrees with the spirit of the Senate amendment, but suggests a revision to address procedural issues and simplify the process for everyone. SRS proposes language requiring the individual to cooperate with and successfully pass drug testing as required by the Community Corrections program, in order to continue to receive public assistance. This would remove SRS caseworkers out of the process and makes use of existing processes. Since the average length of time a person is on public assistance is less than 24 months, the time frames associated with probation and treatment programs are sufficient to cover that period. A balloon amendment is attached and has been approved by the Department of Corrections.

In summary, there are already so many barriers to successful reintegration, it makes sense to remove the barriers we can control. Children of incarcerated parents are reported to be six times more likely to become incarcerated themselves. Giving these children a better opportunity to succeed and break the cycles of poverty and incarceration are good reasons to make the change.

This concludes my testimony. I will be glad to respond to questions.

SENATE BILL No. 30

By Committee on Judiciary

1-11

10 AN ACT concerning public assistance; relating to persons convicted of a  
11 controlled substance related felony.

12  
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. (a) Under the authority of subsection (d)(1)(A) of 21  
15 U.S.C. §862a, the state of Kansas hereby exercises its option out of sub-  
16 section (a) of 21 U.S.C. §862a, which makes any individual ineligible for  
17 certain state and federal assistance if that individual has been convicted  
18 under federal or state law of any offense which is classified as a felony by  
19 the law of the jurisdiction and which has as an element of such offense  
20 the possession, use or distribution of a controlled substance as defined  
21 by subsection (6) of 21 U.S.C. §802, only if, after such conviction, such  
22 individual has:

23 (a) (1) Been assessed by a licensed substance abuse treatment pro-  
24 vider as not requiring substance abuse treatment; or

25 (b) (2) been assessed by a licensed substance abuse treatment pro-  
26 vider and such provider recommended substance abuse treatment and  
27 such individual:

28 (1) (A) Is participating in a licensed substance abuse treatment pro-  
29 gram; or

30 (2) (B) has successfully completed a licensed substance abuse treat-  
31 ment program.

32 (b) ~~Such individual shall submit to urinalysis, at the expense of~~  
33 ~~such individual, during the application process and randomly there-~~  
34 ~~after as determined by the case worker. Upon such individual's re-~~  
35 ~~quest, a confirmation test of a positive result shall be performed at~~  
36 ~~such individual's expense. Any state or federal assistance to such~~  
37 ~~individual, permitted by this section, shall be suspended until re-~~  
38 ~~ceipt of the confirmation result. A positive result shall disqualify~~  
39 ~~such individual from receiving such state and federal assistance.~~  
40 *Thereafter, such disqualified individual may reapply for assistance*  
41 *after 30 days.*

42 Sec. 2. This act shall take effect and be in force from and after its  
43 publication in the statute book.

An individual shall be disqualified for any state or federal assistance permitted by this section if confirmation of illegal drug use is found as a result of testing that occurs while the individual is on probation, parole or post release supervision, or during the required substance abuse treatment.



**K A N S A S**

RODERICK L. BREMBY, SECRETARY

DEPARTMENT OF HEALTH AND ENVIRONMENT

KATHLEEN SEBELIUS, GOVERNOR

**Testimony on  
Senate Bill 30  
to  
House Corrections & Juvenile Justice Committee**

**Presented by: Linda Kenney**

**March 8, 2005**

Chairperson Loyd and members of the Committee, I am pleased to appear before you today to support Senate Bill 30. My name is Linda Kenney, Director of the Bureau for Children, Youth & Families in the Kansas Department of Health and Environment.

Senate Bill 30 will allow former substance abuse offenders to receive assistance through state and federal programs such as Food Stamps and Temporary Assistance for Needy Families. Currently, drug felons are prohibited from ever receiving assistance unless the state passes legislation to opt out of the federal law. Over half of the states have passed legislation to override this federal prohibition.

The Health and Human Services (HHS) BEST team on Hunger Reduction in Kansas, of which KDHE is a member, has noted that drug offenders leaving prison often experience difficulty in obtaining employment, housing, and food assistance. The team is concerned that denial of food and other assistance to persons with past convictions may result not only in hardship such as poor nutrition and hunger for the individual (male or female) but also contribute to recidivism impacting their children and families. These noted assistance programs are designed to temporarily help individuals as they work to become self-reliant.

Thank you for the opportunity to appear before your Committee. I will be happy to respond to any questions.

DIVISION OF HEALTH  
Office of Health Promotion  
CURTIS STATE OFFICE BUILDING, 1000 SW JACKSON ST., STE.230, TOPEKA, KS 66612-1274  
(785) 296-1207 Fax 785-296-8059 <http://www.kdhe.state.ks.us>

House C&JJ  
3-8-05  
Attachment 6





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**Testimony to House Corrections and Juvenile Justice  
March 8, 2005  
Senate Bill 30  
Sister Therese Bangert - Kansas Catholic Conference  
www.kscathconf.org**

In December 2000, the United States Conference of Catholic Bishops released a document titled **Responsibility, Rehabilitation and Restoration – a Catholic Perspective on Crime and Criminal Justice**. This document is a reflection on the criminal justice system in the United States and a call to Catholics for action. The Bishops call us to act out of our faith in arenas of ministering to persons who are incarcerated and in calling for public policy that leads toward responsibility, rehabilitation and restoration.

Some quotes from this document:

*We call upon government to redirect the vast amount of public resources away from building more and more prisons and toward better and more effective programs aimed at crime prevention, rehabilitation, education efforts, substance abuse treatment, and programs of probation and reintegration. (p. 39)*

*Our tradition insists that every person has both rights and responsibilities . . . Crime and corrections are at the intersection of rights and responsibilities. Those who commit crimes violate the rights of others and disregard their responsibilities. But the test for the rest of us in whether we will exercise our responsibility to hold the offender accountable without violating his or her basic rights . . . (p.23)*

*One area of criminal activity that seems to respond to treatment is substance abuse. More is being learned about how substance abuse and crime are linked in the United States. According to a National Institute of Justice report, at the time of their arrest two-thirds of adults and half of juveniles tested positive for at least one drug. Recent nationwide studies have concluded that drug treatment is reducing drug use, criminal activity, and physical and mental health problems, as well as increasing employment potential. (p.12)*

The entire document is available for your perusal at [www.usccb.org/statements.htm](http://www.usccb.org/statements.htm)

SB 30 fits the spirit of the Bishops document. The Kansas Catholic Conference asks for your support of this bill.

MOST REVEREND RONALD M. GILMORE, S.T.L., D.D.  
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BISHOP EMERITUS - DIOCESE OF SALINA

MOST REVEREND M  
RET

House C&JJ  
3-8-05  
Attachment 7



(8)

**Testimony in Support of Passing Senate Bill 30:  
An act regarding public assistance and persons convicted of felony drug charges**

March 8, 2005

Submitted for consideration to the honorable members of the House Corrections and Juvenile Justice Committee. My name is Bea Magathan and I hope you will consider my written testimony when you make a decision on Senate Bill 30 (SB30). I hope by sharing the experience of my family and how we have been affected by present policies you will pass this bill. The present policy classifies drug offenders as undeserving poor and creates barriers to their successful rehabilitation and reintegration to their communities, SB30 will remove some of the barriers.

For background, please understand that I come from a hard working middle-class family. My step father, a US Army Sergeant, died of natural causes while on active duty in Korea. My mother, a dedicated military wife, worked hard to provide for her children. I have three brothers, the eldest of whom is presently a retired US Air Force Sergeant. My brother, who was a year older than I, was a Major in the US Army. He gave 17 years of dedicated service before his life was tragically ended just two short months ago during his second tour of duty in Iraq.

It is the story of my younger brother that is of interest regarding the bill before you today. He also wanted a military career, but the military determined he was not fit for service when he applied at age 18. As he had no physical concerns, I suspect he was declined due to elements of his mental illness that began to appear when he was a teenager. As a teenager he began hearing voices, experiencing hallucinations and having delusional thoughts. At age 15, he spent five months in psychiatric hospitalization. As an adult his mental illness continued to plague him and he had difficulty maintaining jobs. He refused to seek help. My family made several attempts to access mental health services over the years. We were told that help was not available if he would not seek treatment voluntarily, unless he became a danger to himself or others.

In Oklahoma, during 2000, he experienced a serious psychotic episode that resulted in his threatening my mother and older brother with a loaded weapon. Law enforcement was contacted. This

call did not get him help. Despite repeated requests that he undergo a mental evaluation, he was simply arrested. He received probation, a fine and was told to attend anger management classes. Shortly thereafter, he violated the probation and the new charges involved possession of a controlled substance. His probation was revoked and he received a felony drug conviction. He served his full sentence. He was also diagnosed by the penal system as having Schizoaffective Disorder and received treatment for this, as well as substance abuse issues while incarcerated. He was released from prison in March of 2004 with a two-week prescription for numerous medications. No services were planned for him upon release.

My mother by this time had moved to Kansas to be closer to me. When he was released she brought him here. He is now 33 years old and in need of significant support. He is unemployed and unemployable. Stephens County Oklahoma still expects him to pay more than \$14,000 in court costs and fines or they will issue a warrant for his arrest. We helped him to apply for Social Security income (SSI), mental health services, food stamps, cash assistance, Medicaid, and housing assistance. The local Mental Health Center has been providing services at a reduced cost. He was denied services as basic as food stamps due to his drug conviction. He is not abusing drugs now, but he is still severely and persistently mentally ill. He wants to work, but his functioning has deteriorated following each attempt to do so. He was denied SSI twice. We appealed. In January, ten months after he applied, my brother had his appeal hearing. The Judge determined he is disabled due to his mental illness. He has yet to receive any support as this process is incredibly slow.

SB30 must be passed as there are others in worse situations than my brother. According to the Bazelon Center for Mental Illness Law (2005), at the end of 2000, there were nearly one million individuals nationwide with mental illness in the criminal justice system. Many of these individuals may not have family able to provide support. If it were not for my brother having family support, he would have been homeless, hungry and without medication for the year. He would likely have become a danger to himself or others again. It is clear given this set of circumstances; he like thousands of

others, would be at increased risk for re-entry into the penal system. It costs far more to incarcerate the mentally ill than to treat them and provide services in the community.

My brother's need for assistance has been a great financial burden on my family. My husband and I have two young children to support. My mother is a senior citizen on a fixed income. Caring for my brother has been depleting our resources and put our own financial well being at risk. So much so, that when my older brother died in November serving this country, my family had to ask for donations from our church and friends to be able to afford the expense of traveling to Texas for his funeral. It is truly disheartening to realize that my older brother gave his life for a country that has turned its back and ignored the basic human needs of his brother, who suffers from mental illness.

While I am frustrated with this experience, I do believe in our country as much as my older brother did. I believe one person speaking out and trying to make things better for people in this country can make a difference. I hope reading this story will encourage you to pass SB30. Further, I hope as recommendations are made in the future regarding policies involving criminal justice, mental health reform, and services to the poorest in our nation; you will recall this story and make decisions that will help prevent individuals, like my younger brother, from falling through the cracks in our fragmented social systems. It is my firm belief that SB30 is not the only change that is needed to address problems faced by people like my brother, it is however a step in the right direction.

Thank you again for your time. Please let me know if you have questions regarding my testimony.

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