

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on January 11, 2007 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Kathie Sparks, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Ken Wilke, Revisor of Statutes Office
Connie Burns, Committee Assistant

Conferees appearing before the committee:

Senator Schodorf
Jim Maag, Kansas Sports Hall of Fame
Senator Vratil
Timothy Rogers, Salina Airport Authority

Others attending:

See attached list.

Senator Schodorf requested a bill introduction that concerns abolishing the state library advisory commission and the Kansas library network board and merging as one board.

Senator Vratil made the motion that this request should be introduced as a committee bill. Senator Reitz seconded the motion. The motion carried.

Jim Maag appeared before the committee to request a bill introduction; the bill concerns the Kansas Sport Hall of Fame and providing for the funding with certain lottery revenues.

Senator Hensley made the motion that this request should be introduced as a committee bill. Senator Reitz seconded the motion. The motion carried.

Senator Vratil requested a bill introduction that would add a juvenile facility to the approved list licensed by the Kansas Department of Health and Environment.

Senator Reitz made the motion that this request should be introduced as a committee bill. Senator Lynn seconded the motion. The motion carried .

SB 33 - Airport authorities, surplus property, bonded debt limitations

Chairman Brungardt opened the hearing on **SB 33**.

Staff provided the changes to the bill.

Timothy Rogers, Executive Director, Salina Airport Authority, appeared in favor of the bill. (Attachment 1) The bill would amend the general obligation bonding authority of the Salina Airport Authority to 10% from 3% of the assessed valuation within the Salina city limits. This will enable the Airport authority, which governs former federal facilities, that are designated surplus by the U.S. government, will give the Salina Airport Authority the flexibility to meet anticipated expansions and relocations of aerospace and resulting job growth in Kansas.

The Fiscal Note for **SB 33** was provided to the committee. (Attachment 2)

Chairman Brungardt closed the hearing on **SB 33**.

CONTINUATION SHEET

MINUTES OF THE Senate Federal and State Affairs Committee at 10:30 a.m. on January 11, 2007 in Room 231-N of the Capitol.

Final Action:

Senator Vratil moved to pass **SB 33** out favorable. Senator Reitz seconded the motion. The motion carried.

Jerry Ann Donaldson, Legislative Research, provided the committee with an overview on the Interim Committee on Corrections and Juvenile Justice Oversight. (Attachment 3) Study Topics for the committee were:

- Johnson County Therapeutic Community with regard to funding issues under 2003 **SB 123**
- Driving under influence (DUI) Treatment Services
- Kansas Criminal Justice Information System
- Monitoring Activities of offenders
- Statutory Duties

The cost-benefit study, for the use of Therapeutic Community resulted in a benefit to cost ratio of 1 to 71, the committee encouraged the utilization of Therapeutic Communities based on this data and the social benefits provided by these programs.

Driving Under the Influence (DUI) Treatment Services and recommends that the program be adequately funded.

The Committee supports the upgrades necessary to sustain the technology infrastructure. The committee proposed no new legislation at this time.

In addition the 2006 Interim examined a number of additional adult and juvenile related topics:

- Electronic Monitoring of Offenders
- Faith-based Programs in Adult and Juvenile Facilities
- Private Prisons
- Update on Adult Prison Population Projections
- Adult and Juvenile Community Corrections and Court Services
- Adult Reentry Programs
- Adult Drug and Alcohol Treatment Programs
- Adult Sex Offender Treatment Programs
- Adult Education Programs
- Juvenile Mental Health or Substance Abuse Treatment Programs
- Juvenile Sex Offender Treatment Programs
- Juvenile Education Programs
- 2006 **HB 2893** - Criminal offenders in custody, health care costs

The Interim Committee recognized Commissioner Don Jordan for his efforts and leadership that he provided to the Juvenile Justice Authority during his time with the agency.

The meeting adjourned at 11:15 am. The next scheduled meeting is January 16, 2007.

(1)

**Testimony by Timothy F. Rogers, A.A.E.
Executive Director, Salina Airport Authority
Before the Kansas Senate Committee on Federal & State Affairs
January 11, 2007**

**Surplus Federal Properties Aerospace Growth Act
Senate Bill 33**

Thank you Chairman Brungardt and members of the committee. For the record, my name is Tim Rogers, Executive Director of the Salina Airport Authority in Salina, Kansas.

I appear here today on behalf of the Salina Airport Authority, The City of Salina, Saline County and the Salina Area Chamber of Commerce. Collectively, we urge your positive consideration of Senate Bill 33, which would amend K.S.A. 27-323 to raise the general obligation bond authority of the Salina Airport Authority to 10% from 3% of the assessed valuation within the Salina city limits.

This amendment to the Airport Authority's enabling statute, which governs former federal facilities, like our airport and airport industrial center, that are designated surplus by the U.S. government, will give the Salina Airport Authority the flexibility to meet anticipated expansions and relocations of aerospace companies and resulting job growth in Kansas.

Background

The Salina Airport Authority was created under Kansas law in 1965 to develop the former Schilling Air Force Base that was designated as surplus by the Federal Government and transferred to the community. The existing 3% general obligation bonding authority was established by Kansas statute in 1965 to permit the Salina Airport Authority to finance airport facility improvements to a large inventory of existing and vacant airport hangars and facilities, formally owned by the federal government.

In the intervening years, the Salina Airport Authority has absorbed all of the previous facilities and even built new facilities for use by jobs producing industries. We have now identified a number of international and national aerospace prospects that can bring additional aviation jobs to the state, but

The Salina Airport Authority is limited by the 3% cap on financing authority available to the community to build new aerospace facilities. The Salina community needs this legislation to give it the ability to meet the financial requirements of anticipated new projects.

Other communities in Kansas have alternate means of raising capital for such aviation jobs growth, but the Salina Airport Authority is limited to 3% by virtue of the original cap designed for facility renovation and not new capital projects needed today. Raising Salina Airport's financing cap will increase the general obligation bond upper limit to \$40 million vs. the current \$12 million limitation, of which \$10 million is already obligated.

Near-Term, Long-Term Needs

The Salina Airport Authority intends to utilize this increased general obligation bonding authority to meet the needs of as many as 10 international and national aerospace prospects that have expressed an interest in expanding and relocating to Kansas.

No Local or State Financial Liability

While the City of Salina approves the issuance of all Salina Airport Authority general obligation bonds, neither the local community nor the State of Kansas have any liability for such financial obligations of the Airport Authority under Kansas law.

The Salina Airport Authority's financial profile is strong. Moody's Investors Service has given the Salina Airport Authority one of its highest ratings, citing the airport's diverse local economic base, sound reserve levels, well-managed operations, and a manageable debt.

Community Support

The City of Salina, the Saline County Commission, Salina Area Chamber of Commerce, and Salina Airport Authority support this proposed legislation. The legislation is also supported by the Pratt Airport Authority, which is the only other Kansas airport impacted by the proposed amendment.

In conclusion, the Salina community urges your support for this legislation that will have a positive impact on the Kansas economy.

Thank you. I am happy to answer any questions.

**Salina Airport Authority
Surplus Federal Properties
Aerospace Growth Act
Senate Bill 33**

Request

Amend K.S.A. 27-323 to raise the general obligation bond authority of the Salina Airport Authority to 10% from 3% of assessed valuation within the Salina city limits. This improvement to Kansas state statutes, which govern former federal facilities that are designated surplus by the U.S. government, will give the Kansas airport and its local government the flexibility to meet anticipated expansions/relocations of aerospace companies and jobs growth to Kansas.

Background

The Salina Airport Authority was created under Kansas law in 1965 to develop the former Schilling Air Force Base that was designated as surplus by the Federal Government and transferred to the community. The 3% general obligation bonding authority was established by Kansas statute in 1965 to permit the Salina Airport Authority to finance airport facility improvements to a large inventory of existing and vacant airport hangars and facilities, formally owned by the federal government.

In the intervening years, the Salina Airport Authority has absorbed all of the previous facilities and even built new facilities for use by jobs producing industries. It now has identified a number of international and national aerospace prospects that can bring additional aviation jobs to the state, but is limited by the 3% cap on financing authority available to the community to build new aerospace facilities.

Other communities in Kansas have alternate means of raising capital for such aviation jobs growth, but the Salina Airport Authority is limited to 3% by virtue of the original cap designed for facility renovation and not new capital projects needed today. Raising Salina Airport's financing cap will increase the general obligation bond upper limit to \$40 million vs. the current \$12 million limitation, of which \$10 million is already obligated.

Near-Term, Long-Term Needs

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No Local or State Financial Liability

While the City of Salina approves the issuance of all Salina Airport Authority general obligation bonds, neither the local community nor the State of Kansas have any liability for such financial obligations of the Airport Authority under Kansas statutes. The Salina Airport Authority's financial profile is strong. Moody's Investors Service has given the Salina Airport Authority one of its highest ratings, citing the airport's diverse local economic base, sound reserve levels, well managed operations, and a manageable debt.

Community Support

The City of Salina, the Saline County Commission, Salina Area Chamber of Commerce, and Salina Airport Authority support this proposed legislation. The legislation is also supported by the Pratt Airport Authority, which is the only other Kansas airport impacted by the proposed amendment.

Successful Salina History with the Kansas Legislature

Recently, the Salina Airport Authority and the Salina Area Chamber of Commerce successfully worked with the Kansas Legislature to eliminate the sales tax on aircraft modification and maintenance activities, which has led to jobs growth at the Salina Industrial Center. Further, both groups also worked with the Kansas Legislature to approve legislation, which has permitted construction of a new headquarters and manufacturing facility at the Salina Industrial Center. The Salina community wishes to continue to help Kansas jobs growth through this amendment.



January 11, 2007

The Honorable Pete Brungardt, Chairperson
Senate Committee on Federal and State Affairs
Statehouse, Room 522-S
Topeka, Kansas 66612

Dear Senator Brungardt:

SUBJECT: Fiscal Note for SB 33 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 33 is respectfully submitted to your committee.

Current law allows public airport authorities to issue general obligation bonds but stipulates that any bonds issued cannot be more than 3.0 percent of the assessed valuation of all taxable tangible property of the city involved. SB 33 would increase that restriction to 10.0 percent of taxable property.

The passage of SB 33 would have the potential for increasing the amount of bonds that can be issued, thereby increasing the debt obligation of a public airport authority. However, no precise fiscal effect can be estimated, because it is not possible to determine how many airport authorities would take advantage of the increased bonding authority or by how much.

Sincerely,



Duane A. Goossen
Director of the Budget

DRAFT

SPECIAL COMMITTEES

Report of the
Joint Committee on Corrections
and Juvenile Justice Oversight to
the 2007 Kansas Legislature

CHAIRPERSON: Senator Pete Brungardt

VICE-CHAIRPERSON: Representative Bill Light

RANKING MINORITY MEMBERS: Representative Doug Gatewood
Senator Greta Goodwin

OTHER MEMBERS: Senators Karin Brownlee, David Haley, Phil Journey, Kay O'Connor and Jean Schodorf; and Representatives Kathe Decker, Jan Pauls, Dale Swenson and Jim Ward.

STUDY TOPICS

- Johnson County Therapeutic Community With Regard to Funding Issues Under 2003 SB 123
- Driving Under Influence (DUI) Treatment Services
- Kansas Criminal Justice Information System
- Statutory Duties
- Other Topics

December 2006

Joint Committee on Corrections and Juvenile Justice Oversight

JOHNSON COUNTY THERAPEUTIC COMMUNITY

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee noted that according to the cost-benefit study, use of the Therapeutic Community resulted in \$771,591 of avoided prison costs in FY 2004 and further noted the economic costs of the program were estimated to be \$1,543,420 in FY 2004 while the economic benefits of the program are estimated to be \$2,637,117, resulting in a benefit to cost ratio of 1 to 71. The Joint Committee encourages the utilization of Therapeutic Communities based on this data and the social benefits provided by these programs.

Proposed Legislation: None

BACKGROUND

The Legislative Coordinating Council directed the Joint Committee on Corrections and Juvenile Justice to review the Johnson County Therapeutic Community (JCTC) treatment program with regard to funding under 2003 SB 123. During the 2005 Legislative Session, the Kansas Sentencing Commission requested supplemental funding of \$500,000 for payment to JCTC for services provided under 2003 SB 123. The Legislature provided supplemental funding of \$87,500 to accommodate unanticipated billings during FY 2006.

COMMITTEE ACTIVITIES

During the August meeting, the Committee received testimony on this topic from the Kansas Sentencing Commission (KSC) and the Johnson County Department of Corrections. Therapeutic Communities are the most intensive treatment modality in the continuum of treatment services under 2003 SB 123. The Kansas Department of Corrections has certified Johnson County Therapeutic Community to deliver this type of treatment. It is currently the only

certified Therapeutic Community for SB 123 treatment. Prior to FY 2006, JCTC was funded by a federal Justice Assistance (JAG)/Byrne grant. However, in FY 2006 a special condition was added to the award which stated that JCTC shall not use any JAG grant funds to treat criminal offenders eligible for treatment under 2003 SB 123. Therefore, funding for SB 123 treatment became the responsibility of the KSC. For FY 2006, a total of \$381,000 has been paid for SB 123 treatment at JCTC. This is a total of 2,540 days of treatment service to 24 separate offenders which equates to an average of 106 days in treatment for each offender.

JCTC is a one year program that provides services to individuals 18 years of age or older who have a history of chronic substance abuse, multiple arrests and failed treatments. Clients of the program have been through the court system numerous times and are facing a sentence of a minimum of one year in jail or prison unless they are admitted to a long-term treatment program. Clients are referred by judges, district attorneys and probation officers.

The program consists of two components: Therapeutic Community (TC)

and a Residential Program. Clients complete three levels, Orientation, Treatment and Transition, before graduating from the TC to the Residential Program. Each client receives a mental health evaluation and a physical exam. Furthermore, they are randomly screened for drug use. After successful completion of the TC, clients move in to the Residential Program where they continue to progress through the program and begin to develop an adequate release plan.

Currently, JCTC charges a daily rate of \$150 for SB 123 treatment which was determined through a cost-benefit study commissioned by the Criminal Justice Coordinating Council and conducted by the Docking Institute at Fort Hays State University. The economic costs of the program were estimated to be \$1,543,420 in FY 2004 while the economic benefits of the program are estimated to be \$2,637,117, resulting in a benefit to cost ratio of 1 to 71.

The following were listed as additional social costs that were avoided by the utilization of the TC program:

- decreased property values in high crime, high drug use areas;
- reduction in administrative costs of social programs that transfer income or provide in-kind benefits; and
- expenditures by communities to lower the risk of being a victim to drug abuse.

In addition, potential benefits for the individual receiving treatment and their families included:

- improved morality;
- reduced family violence and stress;
- improved housing conditions;
- improvement in financial stability; and
- improved child care with respect to social functioning, instilling educational motivation and reduced risk of passing a drug habit on to children.

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee noted that according to the cost-benefit study, use of the Therapeutic Community resulted in \$771,591 of avoided prison costs in 2004 and further noted the economic costs of the program were estimated to be \$1,543,420 in FY 2004 while the economic benefits of the program were estimated to be \$2,637,117, resulting in a benefit to cost ratio of 1 to 71. The Joint Committee encourages the utilization of Therapeutic Communities based on this data and the social benefit provided by these programs.

Joint Committee on Corrections and Juvenile Justice Oversight

Driving Under the Influence (DUI) Treatment Services

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee noted the funding deficit in the fourth and subsequent DUI treatment program and recommends that the program be adequately funded.

Proposed Legislation: None

BACKGROUND

The Legislative Coordinating Council directed the Joint Committee on Corrections and Juvenile Justice to review Driving Under the Influence (DUI) Treatment Services and funding sources. During the 2006 Legislative Session, the Department of Corrections introduced SB 214 which would, among other things, increase the percentage of funds placed in the Alcohol and Drug Abuse Treatment Fund from 2.01 percent to 7.6 percent for FY 2006 and 4.98 percent thereafter. This was introduced to address a funding shortfall due to the increased number of participants in the fourth and subsequent DUI treatment program.

COMMITTEE ACTIVITIES

During the August meeting, the Committee received testimony on this topic from the Department of Corrections (DOC), Social and Rehabilitation Services Division of Health Care Policy, Heartland Regional Alcohol and Drug Abuse Center (RADAC), and a service provider for 4th time DUI offenders.

Upon conviction for a fourth or subsequent DUI, the defendant is sentenced to serve between 90 and 365 days in jail. Participation in the fourth time DUI treatment program is mandatory. At the

time of filing, a Journal Entry or Judgment form is sent to the officer who is in charge of the offender who then sends a certified copy of the journal entry or judgment form to Secretary of Corrections. Notification should occur within three days of receipt of the journal entry or judgment form and includes notification of when the term of imprisonment will expire. Upon receipt by the Department of Corrections, the defendant is entered into the DOC system. The defendant's parole officer is then notified that the offender is in jail and when the offender will be released to Post Release Supervision. At this point, the Parole Officer contacts RADAC who then performs a substance abuse assessment on the offender while he is in custody. Once the substance abuse assessment is completed, the Parole Officer is notified of the results and the appropriate treatment. The Parole Officer is responsible for contacting the offender while he is in jail and notifying them of release plans. The Kansas Parole Board is made aware of offender's status and treatment information and a Release Certificate is prepared. After the jail sentence expires, the defendant is released to a location designated by the Secretary of Corrections. The offender is then considered in Post Release. He or she is required to contact their Parole Officer and

begins one year of post release supervision. This includes substance abuse treatment with an approved provider. At the end of the one year period, the treatment and supervision end. It is important to note that offender whose offense occurred between July 1, 2001 and July 1, 2002 , the term of Post Release Supervision does not begin until completion of, or discharge from the required treatment program.

Heartland RADAC provides assessment, referral and care coordination for fourth time or subsequent DUI offenders. These referrals come directly from the DOC and participation in the program is mandatory. RADAC staff evaluates and determines the needs of the offender and then places them in treatment. Staff continues to monitor treatment and coordinates ongoing care. The duration and frequency of treatment is individualized for each offender . Multi-disciplinary teams consisting of the treatment provider, parole officer and RADAC care coordinator meet in order to orient the client to the process, review progress in the program and discuss any clinical concerns. After successfully completing their primary treatment, offender are referred for continued aftercare treatment services. Changes in level of care can occur at any time during the treatment program. Non-compliance in the program may result in an unsuccessful discharge from the program or suspension of services. If this occurs, the offender is referred back the DOC. Case management meetings are held throughout supervision to address problems and concerns. Upon completion of parole supervision, RADAC sends a complete report to the DOC. The report contains an outline of the course of treatment, discharge recommendations and final prognosis. According to RADAC, the multidisciplinary team collaboration is the key to the success of the program.

The Department of Corrections (DOC) and the Department of Social and Rehabilitation Services developed an Inter-Agency agreement to administer the program. Accordingly, SRS is responsible

for the administration of funds to purchases the assessment, treatment and care coordination services for offenders convicted under the fourth time DUI law. Since 2002, 1,672 offenders have been referred to the program with approximately 1,521 or 91 percent of the offenders being male. A majority of offenders are between the ages of 35 and 55 years of age (67 percent). Of the those offenders assessed and referred since 2002:

- 65 percent have completed treatment;
- 13 percent have self discharged from treatment; and
- 3 percent have not completed the program.

Currently 994 offenders are still receiving treatment services and ten offenders have died since being assessed and referred for services. The average length of stay for treatment services is 315 days. In order for the program to be cost effective, a cap of \$3,000 per offender was set. According to SRS, this reimbursement method, coupled with review by RADAC, ensures that the offender is receiving the services needed in the least restrictive, less expensive treatment service possible. Of all the offenders assessed, 86 percent are referred to outpatient treatment so that they may maintain gainful employment during treatment.

Due to the demand for this program, the funds available have been exceeded. The DOC Alcohol and Drug Abuse Treatment Fund consists of a percentage of the fines, penalties and forfeitures collected by the district courts and utilized to finance the cost of treatment. During the 2006 Legislative Session, SB 214 was introduced by the Department of Corrections to increase the amount of funds deposited in the Alcohol and Drug Abuse Treatment Fund from 2.01 percent to 7.6 percent for FY 2006 and 4.98 percent thereafter. SRS supported the bill but it did not pass. Therefore, a Governor's Budget Amendment was

requested and granted for 2006. These funds were used by SRS to pay treatment providers for services already rendered during that fiscal year. During the 2006 Legislative Session, SRS indicated that by the end of FY 2006, the funding deficit would total \$998,000 of which \$450,000 was for FY 2005. SRS reallocated resources and \$538,000 from the State General Fund was appropriated during Omnibus in response to the Governor's Budget Amendment, eliminating the deficit. According to SRS, FY 2007 treatment costs would total \$945,000. This will be financed by a State General Fund appropriation of \$538,000 and \$407,000 from the DOC Alcohol and Drug Abuse Treatment Fund. Testimony from the DOC noted that if the number of offenders receiving treatment services continues to increase, additional State General Fund

resources and/or an increase in the percentage of fines, penalties and forfeitures credited to the DOC Treatment Fund will be necessary. A percentage of 4.52 percent would be required based upon a projected service expense of \$945,000. However, this would not provide any allowance for increased treatment costs above the projected service expense.

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee noted the funding deficit in the fourth and subsequent DUI treatment program and recommends that the program be adequately funded.

MONITORING ACTIVITIES OF OFFENDERS

CONCLUSIONS AND RECOMMENDATIONS

The Committee noted that Kansas is ranked number one in the use of technology for law enforcement and courts by the Center for Digital Government and is ranked in the top five in integrated justice. Furthermore, Kansas' model is considered a template for integrated justice in the United States and was runner-up for the "Innovations Award" by the Council of State Governments.

The Committee supports the upgrades necessary to sustain the technology infrastructure.

Proposed Legislation: None

BACKGROUND

The Legislative Coordinating Council directed the Joint Committee on Corrections and Juvenile Justice Oversight to review the Total Offender Activity Documentation System (TOADS) and the Kansas Adult Supervised Population Electronic Repository (KASPER) with regard to funding.

COMMITTEE ACTIVITIES

During the August meeting, the Committee received testimony on this topic from the Kansas Department of Corrections, the Office of Judicial Administration, and the Kansas Bureau of Investigation. The Kansas Criminal Justice Information System (KCJIS) is a highly secure, data sharing system with state, local and national databases which connect all 105 counties in Kansas. It provides access to the Federal Bureau of Investigation via the internet, access to Kansas Car Stop (KCS) for all officers, online access to registered offender information, online information on inmates, community corrections and parolees, Kansas

Driver's License photos for law enforcement, computerized criminal histories, master search capabilities for persons and vehicles, and access to misdemeanor warrants for all but 12 counties. In the State of Kansas, 1,689 agencies have access to the system. These agencies include law enforcement officers, courts and court service officers, parole and probation officers, prosecutors, jails, prisons, 911 communication centers and dispatchers and the Kansas Sentencing Commission. In addition, public criminal history requests through Kansas.gov are available through this system. It is also utilized by county emergency managers and used to perform private and public sector background checks. Gordon Lansford, Director, KCJIS discussed the needs of the system. These were identified as:

- sustainable maintenance and support;
- replacement of obsolete hardware and software;
- expansion of electronic fingerprint coverage;

- system enhancements to handle additional users;
- new and enhanced system capabilities;
- support for previously grant-funded positions; and
- expansion for non-criminal justice users.

In addition, he testified to the multiple uses of the system which include car stops, electronic fingerprint identification, case management, criminal investigations, pre-sentence investigations, and state and federal wants and warrants.

Bill Noll, Chief Information Officer, Kansas Department of Corrections (KDOC), presented an overview of the KDOC vulnerabilities which support KCJIS. The KDOC maintains four systems: Offender Administration and Facilities Management (OMIS); Total Offender Activity Documentation System (TOADS); Kansas Adult Supervised Population Electronic Repository (KASPER); and Electronic Medical Records (EMR).

OMIS is over 25 years old and the age creates a problem with the availability of human resource skills. Also, the system is difficult for end users to obtain data for analytical purposes. TOADS is nine years old and the data is difficult to analyze as well. Furthermore, much of its data is synchronized with OMIS which is difficult since it is a different

technology than OMIS. KASPER is six years old and is not capable of integrating with new wireless systems which is necessary. As for EMR, the program was update in FY 2006 and improvements are scheduled through FY 2008. In order for the systems to be brought up to current industry standards, funding for sustaining the technology infrastructure is necessary. Upgrades are needed to correct software issues and update systems. It was mentioned that additional funding would be requested during the 2007 Legislative Session.

Kirk Thompson, Kansas Bureau of Investigation, and Kelly O'Brien, Office of Judicial Administration, discussed the core components and challenges their agencies experience with KCJIS.

CONCLUSIONS AND RECOMMENDATIONS

The Committee noted that Kansas is ranked number one in the use of technology for law enforcement and courts by the Center for Digital Government and is ranked in the top five in integrated justice. Furthermore, Kansas' model is considered a template for integrated justice in the United States and was runner-up for the "Innovations Award" by the Council of State Governments. The Committee supports the upgrades necessary to sustain the technology infrastructure.

**Joint Committee on Corrections
and Juvenile Justice Oversight**

STATUTORY DUTIES

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee reviewed the topics included in the statutory charge as well as three specific topics assigned by the Legislative Coordinating Council. The Committee:

- Makes no recommendation on electronic monitoring of offenders but notes that while it is a good way to monitor offenders, it must be accompanied by cognitive treatment in order to be successful and that it does not guarantee that an offender will not re-offend and does not, alone, provide for the public safety;
- Makes no recommendation on faith-based programs but the Committee recognizes the importance of faith-based programs in adult and juvenile correctional facilities. The Committee also commends the programs and staff for their efforts;
- Opposes the use of private prisons within the State of Kansas and supports the building of a new facility, or new units at an existing facility, within the State;
- Makes no recommendation on adult education programs in correctional facilities but notes that as of September 27, 2006, there were 277 inmates on the waiting list for GED or literacy programs. Furthermore, the Committee wishes to note that funding for education programming has been reduced by 50.0 percent over the last decade. The Committee recognizes the importance of providing the proper tools, including an education, to allow inmates to lead a productive life upon their return to the community;
- Recommends further review of educational programs at the Juvenile Justice Authority and Kansas Department of Corrections during the 2007 Interim;
- Makes no recommendation but notes that due to changes in Level V and VI residential treatment facilities changes to K.S.A. 72-6407 will need to be made during the 2007 Legislative Session in order to provide the proper funding mechanism; and
- Recognizes the efforts of Commissioner Don Jordan and the leadership he has provided to the Juvenile Justice Authority during his time with the agency.

Proposed Legislation: None

BACKGROUND

The 1997 Legislature created the Joint Committee on Corrections and Juvenile

Justice Oversight, which composed seven members each from the House and Senate. The statutory duties of the Committee include:

- Monitor the inmate population and review the programs, activities and plans of the Department of Corrections including the implementation of expansion projects, the operation of correctional and other program for inmates and operation of correctional institutions and other facilities under the control and supervision of the Department of Corrections;
- Monitor the establishment and review the programs, activities and plans of the Juvenile Justice Authority (JJA) including the responsibility for the care, custody, control and rehabilitation of juvenile offender and the condition and operation of the state juvenile correctional facilities under the control and supervision of the JJA;
- Review the adult correctional programs, activities and facilities of counties, cities, school districts, other local governmental entities, and private entities including program for the reduction and prevention of juvenile crime and delinquency.

2006 HB 2555 repealed the provision in KSA 46-2801 requiring the Committee to expire in December 2005.

COMMITTEE ACTIVITIES

In addition to conducting activities relating to its statutory duties, during the 2006 Interim the Committee examined a number of additional adult and juvenile related topics. All items reviewed by the 2006 Interim Committee are reviewed in the following material, along with the Committee conclusions, recommendations and proposed legislation.

Electronic Monitoring of Offenders

On September 1, 2006, Representatives from Behavioral Interventions, Inc., (BI) contractor for electronic monitoring (EM)

services with the Kansas Department of Corrections (KDOC), and the KDOC provided testimony on the program being utilized in Kansas. BI provided the Committee with information on how the global positioning systems (GPS) work, different types of GPS, the benefits and limitations of GPS, how GPS is currently being utilized in the State of Kansas with regard to sex offenders and the use of GPS in Day Reporting Centers in Kansas. With an Active Tracking System, near real-time location information is provided on a 24 hour, 7 day a week basis with immediate notification, via a pager, to parole officers when a violation occurs. Passive Tracking Systems store and download information to a data center via landline telephone when the device is placed in the charging unit at the client's residence. This systems provides a delayed notification of the offender's activity and violation alerts. A representative stated that GPS and EM technologies limit movement, but have no long term impact on recidivism, as they have no effect on behavior after removal of the EM system. In addition, the GPS does not provide the ability to track offender movement within most buildings, relies on third-party communication infrastructures, produces large amounts of data which requires increased staffing resources and used alone, it has not proven to reduce recidivism. A Washington Institute for Public Policy What Works Study showed that cognitive behavioral treatment is effective at reducing recidivism with sex offenders. The study cited a reduction of 14.9 percent for offenders in prison and 31.2 percent for offenders in the community. Representatives from BI encouraged the use of cognitive behavioral therapy in conjunction with GPS and EM technology.

The Deputy Secretary of Field Services, KDOC, provided the Committee with testimony on the problems they experienced with the GPS. The following were listed:

- lack of training;
- defining violations of parole and the appropriate response to violations;

- establishing criteria to assignment of GPS;
- lack of consistent cellular coverage with Active Tracking Systems;
- lack of landline phone service for offenders with Passive Tracking Systems;
- lack of offender understanding of how electronic monitoring works; and
- lost and broken equipment.

The KDOC plans to continue to use GPS for sex offenders with 2 or more offenses against minors. Currently, there are 235 males and 5 females on GPS for this type of offense. The KDOC plans to continue to use the system on high risk population and have considered requesting a co-pay from offenders for GPS services to defray the costs.

The Committee also heard from Don Jordan, Commissioner of the Juvenile Justice Authority and Chairman of the Sex Offender Policy Board. Commissioner Jordan provided testimony as to the purpose of the Sex Offender Policy Board and stated that the Board would be making recommendations in four areas: Electronic monitoring of sex offenders; public notification with regard to sex offenders; management of juvenile sex offenders; and residency restrictions with regard to sex offenders. The Board will submit a written report prior to the 2008 Legislative Session.

The Joint Committee recognizes the limitations of electronic monitoring. Specifically, the Committee noted that there were logistical and practical problems with electronic monitoring, such as lack of cellular coverage and issues with offenders not having access to landlines in their homes, that did not allow for monitoring offenders 24 hours a day, 7 days a week.

CONCLUSIONS AND RECOMMENDATIONS

The Committee makes no recommendation on electronic monitoring of offenders but notes that while it is a good way to monitor offenders, it must be accompanied by cognitive treatment in order

to be successful and that it does not guarantee that an offender will not re-offend and does not, alone, provide for the public safety.

Faith-based Programs in Adult and Juvenile Facilities

Testimony was heard at the September 21st meeting from the Chief Executive Officer of Woman to Woman PRC, Inc., the Director of Freedom Ministries of Kansas, the Salvation Army Shield of Service, the Director of InnerChange Freedom Initiative (IFI) Kansas, two IFI members, a volunteer with the IFI program and the past Chairperson of the Kansas Chapter of Kairos Torch about faith-based programs in adult correctional facilities. The Superintendent of Atchison Juvenile Correctional Facility (AJCF), Vice President of Clinical Services with St. Francis Academy, Spiritual Life Coordinator with TLC for Children and Families, Chaplain at Kansas Juvenile Correctional Complex (KJCC) and Chairperson for the Advisory Council for Kansas Kairos Torch provided testimony about faith-based programs for juveniles.

Each of the conferees discussed the use of faith-based programs in facilities and the impact on the lives of the inmates, as well as their families. Programs provide education, computer skills training, and life skills training and access to resources as part of a pre-and post-release program upon reentry into the community.

Conferees testifying about juvenile faith-based programs emphasized the importance of volunteers and mentors in their programs. Programs provide educational instruction and mentoring, in addition to spiritual instruction. The importance of spirituality was emphasized for those receiving services in the community as well.

CONCLUSIONS AND RECOMMENDATIONS

Makes no recommendation on faith-based programs but the Committee recognizes the importance of faith-based

programs in adult and juvenile correctional facilities. The Committee also commends the programs and staff for their efforts.

Private Prisons

Testimony was heard at the September 22nd meeting from the Director of the Oklahoma Department of Corrections, Secretary of the Kansas Department of Corrections, Chief of Staff at the Kansas Association of Public Employees, Chairperson of Sunflower Solutions and a volunteer field organizer of the Private Corrections Institute about private prisons.

Justin Jones, Director, Oklahoma Department of Corrections (ODOC) discussed the experiences of the ODOC with private prisons. The State of Oklahoma has a total of six medium and maximum private prisons which represent three companies. The State pays approximately \$10 million per month to pay for these facilities. The Director stated that before allowing private prisons in the State of Kansas, legislators should consider the following:

- why are private prisons being considered;
- what is the actual cost of private prisons and are they less expensive than state funded prison expansion;
- where will the responsibility lie for investigating deaths, riots, and civil rights violations for out-of-state inmates;
- what performance standard will be utilized to measure outcomes; and
- who will oversee private prisons in the State and how will that oversight be funded.

He also suggested setting a price cap to prevent over-leveraging, tying the consumer price index into the limitations of the ceilings on the increases of per diem rates,

and utilizing three-way contracts to monitor out of state inmates housed in private prisons in the state. He identified issues with employee retention since private prisons tend to pay higher than state prisons and lack of programming in private prisons which provides limited rehabilitation and can lead to idleness. The Director also encouraged legislators to look at the recidivism rates of inmates housed in private prisons and to look at public safety issues.

The Secretary of the Kansas Department of Corrections reviewed the population projections for Kansas that were presented by the Executive Director of the Kansas Sentencing Commission on the previous day. He noted that the KDOC has reduced parole revocations by 50 percent but have not shown that the reduction is sustainable. Therefore, the KDOC has requested additional funding for community correction programs in order to provide the tools and training necessary to continue to achieve and maintain the fifty percent reduction. The Committee was provided with several options for prison expansion within the State which displayed construction and operating costs for each of the three options. A bond issue was proposed to pay for the expansion. According to the KDOC, if the legislature appropriated sufficient funds for the KDOC to maintain a \$5.5 million level of debt service, KDOC would have enough additional funds to pay off the attached proposed \$21.8 million bond issue.

Testimony regarding the effects of private prisons on the state employee system was presented by the Chief of Staff, Kansas Association of Public Employees (KAPE). Concerns due to a loss of accountability to Kansas residents, lack of proper training for personnel in private prisons, the focus on bottom line profit, higher instances of prisoner abuse and a higher percentage of escapes were raised. KAPE suggested that the Legislature review current sentencing guidelines or add on to existing facilities to meet present needs and expected trends in prison population.

Sunflower Solutions, a Private Prison Task Force, presented testimony to the committee in support of private prisons in Kansas. The task force has examined the issues involved for the last twenty-two years and supports the placement of a private prison in their community.

The Private Corrections Institute presented the Committee with an assortment of information opposing private prisons. Included in the information was a comparison of escapes in private prisons versus California DOC escapes, articles refuting that private prisons are good for economic development, articles raising quality concerns, charts, and comparisons dealing with taxpayer savings, as well as articles on a variety of other subjects.

The Kansas Catholic Conference, Public Policy Office of the Catholic Church in Kansas, presented written testimony on the subject of private prisons. The United States Conference of Catholic Bishops (USCCB) released a statement in December 2000 in which the bishops questioned that a "for-profit" corporation could effectively run a prison, because it was felt that profit motive would "lead to reduced efforts to change behaviors, treat substance abuse, and offer skills necessary for reintegration into the community".

CONCLUSIONS AND RECOMMENDATIONS

The Committee opposes the use of private prisons within the State of Kansas and supports the building of a new facility, or new units at an existing facility, within the State. The Committee wishes to note that the determination to oppose private prisons was not a unanimous decision.

Update on Adult Prison Population Projections

During the September meeting, the Executive Director of the Kansas Sentencing Commission provided the Committee with a report on new commitment admission characteristics for Fiscal Year 2006, prison

population characteristics as of June 30, 2006, as well as various comparisons and admission trends over the past ten years. In addition, actual and projected adult prison population trends over the next ten years were reviewed.

Adult and Juvenile Community Corrections and Court Services

At the October meeting testimony was provided by the Office of Judicial Administration regarding the status of court services. The primary role of court service officers (CSOs) was identified as assisting the district courts by performing investigation and supervision. In addition, CSOs provide investigation and remediation of child custody. Caseloads for CSOs range from 170-200 cases per officer. It was noted that adult investigations increased by 5,000 from 2004 to 2006.

The Director of Community Corrections for the 28th Judicial District identified the role of community corrections which includes drug testing, electronic monitoring, collection of fees and/or ordered restitution, job search assistance, and community service coordination. With regard to juveniles, out of home placements are also included. The effects of condition violators being revoked and sent to prison were identified. Specifically, the effect on prison space. Five recommendations were made to the Committee regarding adult programming:

- Raise funding in Adult Intensive Supervision Program (AISP) to the level required to provide basic intensive supervision and SB123 case management services;
- Fully fund the Johnson and Sedgwick County residential treatment centers providing for possible expansion of the programs;
- Train community corrections personnel in the risk management approach to build competency and consistency in case management practices;
- Train District Court Judges, court services,

prosecutors, defense attorneys, county commissioners and public in the risk management approach; and

- Develop additional residential centers or intermediate sanction centers with services to address criminogenic needs.

With regard to juveniles, a need for increased funding for intervention and graduated sanctions was identified. The use of State General Fund (SGF) monies to pay for community-based juvenile residential services for youth in the custody of the Juvenile Justice Authority (JJA) was recommended.

The Director of Community Corrections and Chief Court Services Officer for the 11th District provided testimony on the integration of Community Corrections and Court Services in the 11th Judicial District. The integration of community corrections and court services, for both adults and juveniles, was identified as successful for the district as it removed many of the barriers to offender participation by providing all services in one location, including mental health services. The absence of state funding was identified as a disadvantage to determining or utilizing meaningful or innovative sanctions. Cognitive therapy and an absconder locator program have been implemented in order to reduce the number of condition violators being sent to prison.

The Director of Community Corrections for the 2nd Judicial District testified that the 2nd Judicial District supports the use of the the LSI-R and the model of treatment provided under SB123. Manageable caseloads and ample resources were identified as key factors in effective supervision of offenders. Funding was identified as an integral part of services and decreases in funding for juvenile programs was cited as a problem for the District.

Dr. Stuart Little, Little Government Relations, appeared on behalf of the

Kansas Community Corrections Association (KCCA) regarding budget issues to request the support of the Committee for additional funding requested by JJA and the KDOC during the currently fiscal year and FY 2008 for funding increases in community corrections.

Testimony on statewide community corrections data and outcomes, including SB123, was provided to the Committee by Director of Community Corrections Services at the Kansas Department of Corrections. With regard to SB123, a concern with the carryover population was identified. Due to the carryover population the level of cases from year to year tend to be higher than the projected 1,400 in 2003 SB 123. The cause of the carryover was identified as the length of sentence, which is usually 18 months or more.

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee makes no recommendation on this topic.

Adult Reentry Programs

The Director of Reentry of the Department of Corrections indicated that in FY 2007 approximately 5,800 inmates were released to supervision from Kansas prisons. Over 58.0 percent of those released were returning as condition violators and high risk, or special needs, offenders were returning at a rate of 70.0 percent. It was indicated that nearly 70.0 of admissions are probation or parole violations. To date, 27 participants have completed the entire program and of those 5 have returned to prison. Twenty five participants have been released to the community after completing the facility portion. Of those, 5 have failed. A number of barriers to successful reentry were identified. These include:

- Identification;
- Transportation;

- Detainers (pending warrants);
- Neighborhood and victim concerns; and
- Supervision requirements.

Funding issues with the Shawnee County reentry program were identified. Currently the program is funded by federal funds that ran out in October 2006. The funding structures of Sedgwick and Wyandotte counties were briefly reviewed.

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee makes no recommendation on this topic.

Adult Drug and Alcohol Treatment Programs

The Corrections Manager for Substance Abuse Treatment Programs, Kansas Department of Corrections (DOC), provided an overview of facility-based programs within DOC. The type and length of treatment, location and space available for each of these programs was reviewed as well as the rules and expectations of the programs and the tools used in said programs. Information on the Community-based Transitional Therapeutic Community (TTC) Program was also discussed. The amount of space available in the programs and waiting lists were identified as issues facing the program.

The Secretary of Social and Rehabilitation Services (SRS) shared an overview of substance abuse treatment services provided to the Department of Corrections by SRS with the Committee. He informed the Committee that there are more than 1,200 drug and alcohol counselors working in 245 licensed treatment agencies providing substance abuse services in Kansas. Of those 1,200, fifty-one are contracted to provide Substance Abuse Prevention and Treatment (SAPT) Block Grant-funded services and 56 programs are providing

services under the 4th time DUI treatment grants. There are 6,632 clients admitted to SRS administered programs from Corrections or Law Enforcement. This total represents 44.0 percent of all treatment admissions into SRS funded programs in FY2006.

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee makes no recommendation on this topic.

Adult Sex Offender Treatment Programs

The Director of Sex Offender Management, Kansas Department of Corrections (KDOC) provided an overview of the issues of managing and treating adult sex offenders. KDOC has a mission to assist these sex offenders in becoming law abiding citizens as well as to help them be successful in their reintegration. A major component of that is the Sex Offender Treatment Program (SOTP). The main focus in treatment was identified as lowering the risk of reoffense. An overview of the Douglas County Citizen's Committee on Alcoholism, Inc. (DCCCA) was also provided. DCCCA is the provider of sex offender treatment services in the facilities and in the communities and provide programs and specialized treatment groups to meet the needs of the 11-12,000 offenders served. DCCCA recommends "co-facilitated" groups where two therapists provide treatment. Due to the rapid increase in numbers between 2000 and 2006, the number of treatment groups were increased. This in turn would increase the number of counselors if co-facilitation was maintained. Therefore, the groups were reduced to a less desirable "single counselor" scenario. Changes to this type of treatment are anticipated as DCCCA would like go back to co-facilitation. The KDOC tracks offenders for three years from the time of release. Last year the recidivism rate of those successfully completing treatment programs was 2.5%. The process of

identifying whether a sex offender is a sex predator was also reviewed. Currently there are 152 sexual predators in the Sexual Predator Treatment Program (SPTP) at Larned State Hospital (LSH). Over the last year, there have been 20 new admissions, with an average of 1.67 admissions per month. Five residents are at Transitional House Services (THS) located on the grounds of the Osawatomie State Hospital (OSH). One resident was placed on conditional release last year. SRS continues the plan to develop a community based SPTP group home for those in transition who are frail, elderly and need assistance 24 hours a day, seven days a week. However, the newly implemented SB 506 residency restrictions and county zoning requirements have limited possible sites for a community based SPTP group home. Due to the steady growth in admissions, additional housing, staffing, and other resources are needed. SRS believes THS will be full by the end of December. By the end of November, there will be space for 219 SPTP residents at LSH; however there are only funds for 160 residents.

Adult Education Programs

The Intervention Team Supervisor, Kansas Department of Corrections (KDOC), provided testimony on the educational and vocational programming for offenders. Inmates participate in a comprehensive assessment to identify risk areas in education, substance abuse, employment, medical and mental health. An overview of the GED/literacy program, vocational programs, and the Life Skills Program was provided to the Committee. Current educational and vocational capacities cannot accommodate the need. Expanded education capacity was identified as a critical need in order to prevent offenders from leave prison without the education necessary to obtain sustainable employment and succeed in the community. As of September 26, there are 277 inmates on the waiting list for GED or

literacy programs. Difficulties in the reentry process as a lack of work experience and criminal records make it difficult to obtain employment, as many occupations are closed to felons. A statistic that offenders are five times more likely to return to prison if they are unable to find employment was shared with the Committee.

Testimony was provided by the Southeast Kansas Education Service Center (Greenbush) that from 1996 to 2006 education budgets within the adult correctional facilities have been reduced by 50.0 percent. In 1996, education programs employed 120 staff. There are currently 49 staff members and only three supervisors for the entire state compared to the 14 previously employed. Last year two classroom programs were lost.

CONCLUSIONS AND RECOMMENDATIONS

The Committee notes that as of September 27, 2006, there were 277 inmates on the waiting list for GED or literacy programs. Furthermore, the Committee wishes to note that funding for education programming has been reduced by 50 percent over the last decade. In addition, the Committee recognizes the importance of providing the proper tools, including an education, to allow inmates to lead a productive life upon their return to the community.

Juvenile Mental Health or Substance Abuse Treatment Programs

The Program Director at Atchison Juvenile Correctional Facility provided testimony regarding mental health programs and substance abuse programs at the four juvenile correctional facilities throughout the state. Approximately 40.0 percent of Atchison Juvenile Correctional Facility (AJCF) offenders need psychotropic medications and system-wide the number was estimated at 25.0 percent. Larned Juvenile Correctional Facility

(LJCF) provides intensive treatment for youth suffering with mental health issues. In order to be placed at LJCF, the youth is not taking medication on a regular basis and at risk for suicide and self harm issues.

JCF substance abuse service programs are offered at each facility. All male youth entering the system are screened for substance abuse problems upon admittance to the Kansas Juvenile Correctional Complex (KJCC) reception and diagnostic unit (RDU). Beloit Juvenile Correctional Facility (BJCF) provides the same assessments and testing on female youth entering the facility. Assessments identify programming the youth need to address their substance abuse issues. Youth in need of the most intensive substance abuse services are transferred to LJCF to be served in their intensive substance abuse program.

Testimony regarding the status of Level V and VI facilities was provided to the Committee by the Commissioner of the Juvenile Justice Authority. The Commissioner noted that the facilities, known as Private Psychiatric Residential Treatment Facilities (PRTFs), now require medical necessity for admission. Therefore, length of stay issues are determined by medical necessity rather than the number of days initially provided for in the State Medicaid plan. Youth will regularly be reassessed to determine whether the need for that level of care is necessary.

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee makes no recommendation on this topic.

Juvenile Sex Offender Treatment Programs

The Superintendent at Beloit Juvenile Correctional Facility (BJCF), Program Director at Atchison Juvenile Correctional Facility (AJCF) and two

residential sex offender treatment providers provided an overview of juvenile sex offender treatment programs.

The Superintendent at BJCF and Program Director at AJCF both provided testimony regarding the programs employed at those correctional facilities. The number of youth identified as sex offenders, types of treatment and length of treatment were provided. testified that youth begin participating in a treatment group immediately after completing the 21-day intake and assessment process and that two on-going treatment groups, Pathways and Growing Beyond, are provided for those who have been sexually abused themselves.

BJCF has provided sex offender treatment since 1996 and thus far none of the females who received sex offender treatment have returned for sex offenses. About 20 percent of the population of BJCF are sex offenders. The average length of incarceration for female sex offenders is 18 months. Forty to sixty-five percent of females admitted to BJCF claim to have been victims of sexual abuse.

The Program Director at Atchison Juvenile Correctional Facility (AJCF) provided testimony on male sex offender treatment in the juvenile correctional facilities. Each youth who committed a sex crime participates in sex offender programming throughout their stay. Figures as of June 30, 2006 showed 358 male and 24 female youths incarcerated in a juvenile correctional facility. Of those 33 percent are sex offenders (122 male sex offenders and five female sex offenders). Sex offenders make up 47.5 percent of the AJCF population, 36.9 percent of the Larned Juvenile Correctional Facility population, 26.4 percent of the Kansas Juvenile Correctional Complex population and 20.8 percent of the Beloit Juvenile Correctional Facility population. Programming for the juvenile correctional facilities is comprised of four phases and each youth is required to take a combination of these classes. Individuals

with more than one offense, who demonstrated planning, aggression or violence toward their victim, or who demonstrate continuing problematic sexual behavior within the facility are also required to take all phases of treatment. A request to allow for expansion of specialized treatment, utilizing a treatment unit dealing only with sex offenders which would allow a higher intensity level treatment with more specialized groups, was made.

A brief overview of juvenile community based sex offender services was also provided to the Committee by two providers. Issues with the cost of services exceeding what the State reimburses were addressed. The Juvenile Justice Authority has been providing supplemental reimbursement dollars per service delivery for Level V Sex Offender Treatment to address the difference, but this will end with PRTF implementation. Issues with changes in the Level V and VI system were also mentioned, specifically the "medically necessary" service requirement.

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee makes no recommendation on this topic.

Juvenile Education Programs

The Committee heard testimony from the Commissioner of the Juvenile Justice Authority, the Industry Program Director at Kansas Juvenile Correctional Complex (KJCC) and Superintendent at Beloit Juvenile Correctional Facility (BJCF) regarding education and industries programs. An overview of education programs and cost per youth of the basic educational programs offered at each of the juvenile facilities, including GED and post secondary programs were reviewed. The industries program was examined and the goals of the program were identified. Providing the youth with an opportunity to earn an income and pay any restitution that they owe, pay tuition in a post-

secondary program, and accumulate funds for their transition back into the community were recognized as important benefits of the program and the program is a great motivator for the youth to continue their appropriate and responsible behavior. The virtual schooling program recently implemented at BJCF was also examined.

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee makes no recommendation but notes that due to changes in Level V and VI residential treatment facilities changes to K.S.A. 72-6407 will need to be made during the 2007 Legislative in order to provide the proper funding mechanism.

2006 HB 2893

The Secretary of the Kansas Department of Corrections, shared that the KDOC is a part of a collaborative team, along with the Kansas Association of Counties and a number of other entities, that has looked at ways to cut health care costs. The Secretary stated that in four months there has been a 70% savings to the counties due to the implementation of the bill. The savings were the result reduced rates as well as the review of medical billings to assure there are not duplicate billings or charges that would normally be bundled are not separated. A major issue cited by the KDOC is that the agency pays rates in excess of rates paid to insurance companies at some hospitals. The Secretary testified that the KDOC is soliciting ideas to resolve the issues.

The Senior Vice-President, Kansas Hospital Association (KHA), the Vice-President, St. John Hospital, Sisters of Charity of Leavenworth Health System,

and the Kansas Medical Society (KMS) all testified in opposition of having the KDOC added to the bill. Reasons for opposition included discounts that are currently provided to certain correctional facilities by hospital throughout the state, the increased cost of patient care, people not wanting to come to a hospital that cares for inmates and the requirement of providing a single for inmates which is more costly. In addition, the opponents testified that to treat inmates at Medicaid rates is to take a

higher cost patient at a substantially below cost reimbursement, as Medicaid pays far below their actual costs.

CONCLUSIONS AND RECOMMENDATIONS

The Joint Committee makes no recommendation on this topic.