

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 22, 2008 in Room 526-S of the Capitol.

All members were present.

Committee staff present:

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

Conferees appearing before the committee:

Secretary Roger Werholtz

Others attending:

See attached list.

Secretary Roger Werholtz, Kansas Department of Corrections, provided the committee an update on the Department of Corrections. (Attachment 1) SB 14 provides a significant piece of legislation that was passed last year. Three different things occurred; 1) it created incentives and set up resources for local community corrections programs to focus on improving public safety while at the same time reducing their admissions in the prison population 2) and in addition altered some of the good time practices, for the awarding of time off for i.e. good behavior for offenders and changed the opportunity to increase good time, 3) and clarified funding procedures for community corrections programs.

The prison populations projections were provided and a revised projected population with the passage of SB 14. This indicates that if there is no change in sentencing policy enacted by the legislature this year and continue to achieve the 20% reduction in community corrections revocation practices that are anticipated in SB 14, it may be possible to go 10 years without adding capacity to the prison system; the numbers are all custody and genders, and would depend on the type of the bed and custody that would be required.. KDOC has been successful with risk reduction:

- reduced annual jail per diem expenditures by \$220,000
- Monthly revocation rates
 - FY 2003 - 203/month
 - FY 2004 - 191/month
 - FY 2005 - 178/month
 - FY 2006 - 136/month
 - FY 2007 - 103/month
 - FY 2008 - 114/month to date
- 50% reduction target = 90/month

Part of the reasoning has been the massive retraining of staff, some things had not been taught before and redefining what we expect from staff. Parole absconders have been reduced; numbers were provided on post incarceration offenders returned with new sentences, and offenders committing new felony offenses while on supervised release. Charts were provided on proportion of Community Corrections average daily population and revocations by agency, FY08 base allocation and SB 14 awards and the chart on page 11 reflects in the last shaded column local programs revocation rate and the bottom line shows the state average, and Community Corrections was asked to reduce revocations by 20% and that has been achieved.

Secretary Werholtz explained the good time and program credit implementation. The redesign of automated good time system and design of automated SB 14 good time computation system; two phases of training are being developed for delivery to facility classification, unit team, and records staff. The goal is to have all programming completed and implemented by May 1, 2008.

Riley County has sued twice over Community Corrections calculation. Riley County #1 was dismissed on motion by KDOC on May 23, 2007, and Riley County has appealed to the Kansas Court of Appeals. Riley

CONTINUATION SHEET

MINUTES OF THE Senate Federal and State Affairs Committee at 10:30 a.m. on January 22, 2008 in Room 526-S of the Capitol.

County #2 was dismissed on KDOC's motion on October 29, 2007; a subsequent motion to reconsider by the county was denied on January 11, 2008.

The bonding package passed last year has helped in repair and renovation. The bonding package will let KDOC catch up on some projects that they have not been able to do:

- Lansing Correctional Facility - demolition for construction of the new clinic/infirmery in the maximum security unit
- Seven and ½ miles of razor wire at the perimeter fence at El Dorado Correctional Facility
- New wire on the exercise yard in segregation at El Dorado Correctional Facility
- Enhanced video recording and monitoring
- Handheld metal detector screening
- Guard1 plus rounds tracker- document officers rounds
- Norton a new kitchen and dinning hall

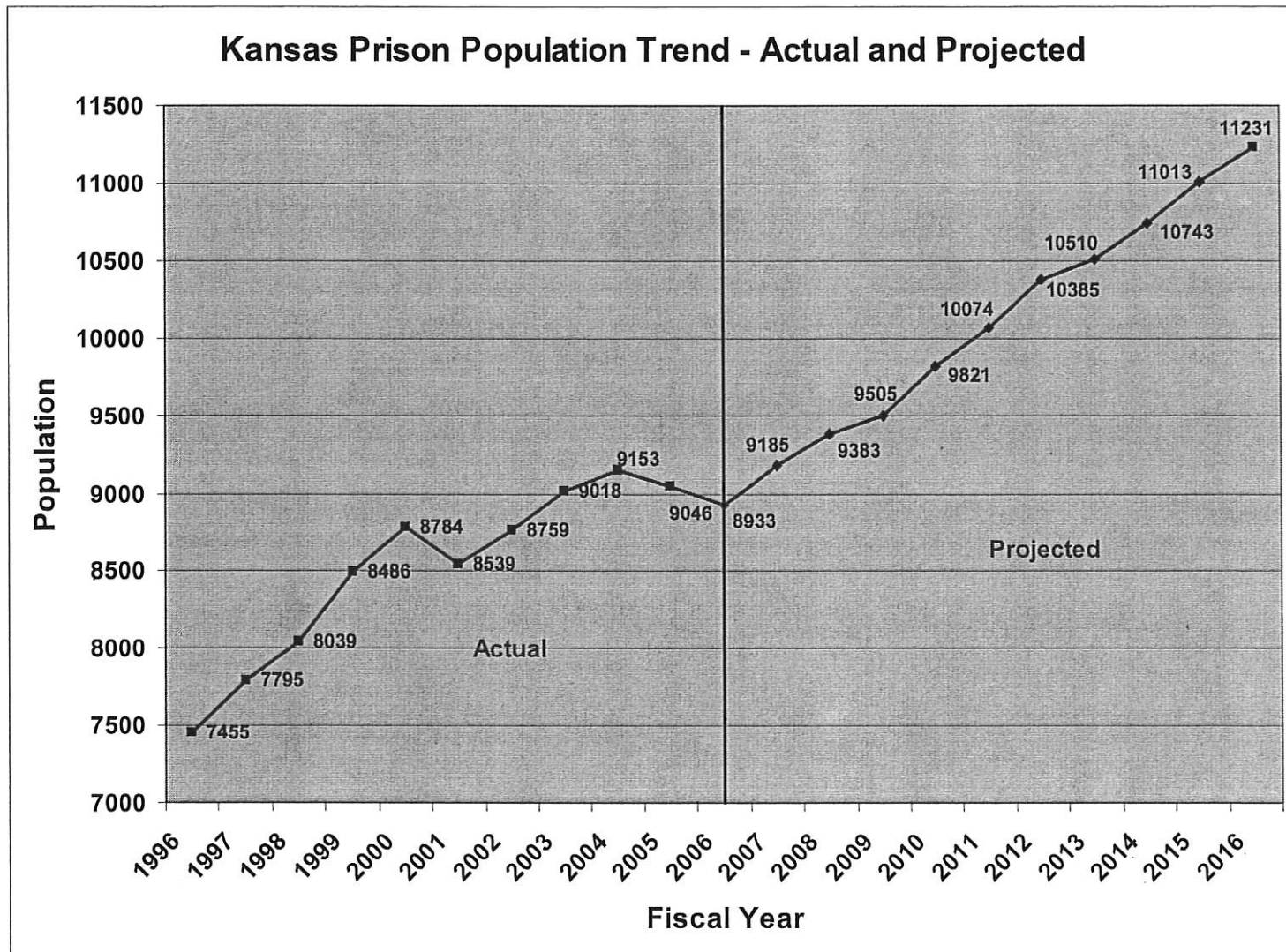
Chuck Simmons is overseeing the bonding package if there are any questions.

The meeting was adjourned at 11:45 am. The next scheduled meeting is January 23, 2008.

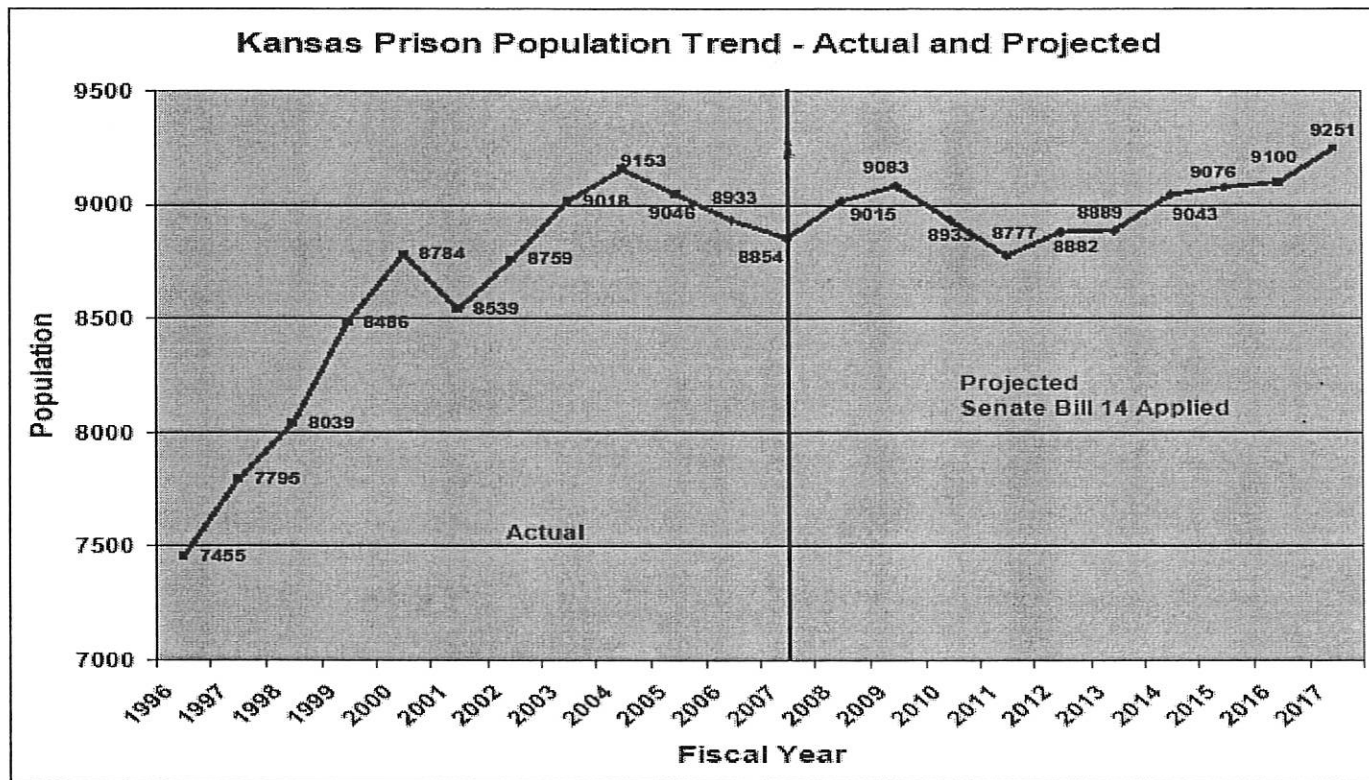
Federal and State Affairs Committee

Secretary Roger Werholtz
January 22, 2008

FY 2007 Population Projections



FY 2008 Population Projections



KDOC Success with Risk Reduction

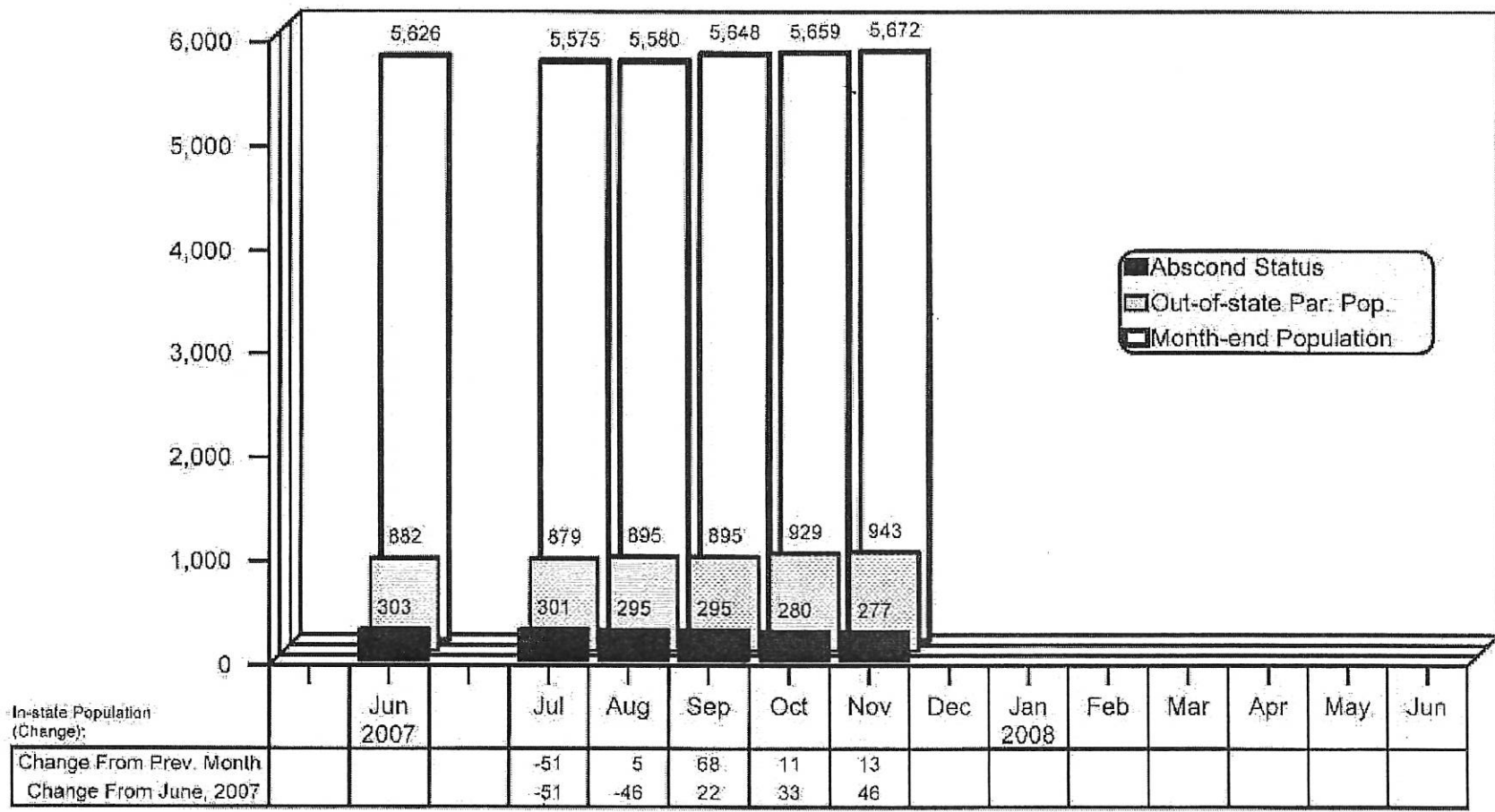
- We reduced annual jail per diem expenditures by \$220,000.00
- Monthly Revocation Rates:
 - FY 2003 203/month
 - FY 2004 191/month
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KDOC Success with Risk Reduction

5-1

- Parole absconders – end of year (KDOC Statistical Profile,2007)
 - FY 1996 – 459
 - FY 1997 – 503
 - FY 1998 - 530
 - FY 1999 – 587
 - FY 2000 – 739
 - FY 2001 – 446
 - FY 2002 – 491
 - FY 2003 – 467
 - FY 2004 – 389
 - FY 2005 – 396
 - FY 2006 – 351
 - FY 2007 - 303

Components of the End-of-month Population Under Post-incarceration Management: FY 2008 to Date*



*In-state population is comprised of Kansas offenders supervised in Kansas and out-of-state offenders supervised in Kansas. Out-of-state population is comprised of Kansas offenders supervised out-of-state. Those on abscond status have active warrants (whereabouts unknown).

Kansas Post Incarceration Offenders Returned with New Sentence

<i>Fiscal Year</i>	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
# of Offenders	285	279	277	308	291	155	139	148	149	166	168	190
% of Parole Population	5.3 %	5.0 %	4.8 %	5.5 %	5.4 %	4.2 %	3.5 %	3.6 %	3.3 %	3.3 %	3.0 %	3.4%

KANSAS DEPARTMENT OF CORRECTIONS

Offenders Committing New Felony Offenses While on Supervised Release

Fiscal Year	Total Offenses Committed in Each Year	Total Offenses While on Supervision For That Year	Total Offenders Committing Offenses in Year	Total Offenders Committing Offenses While on Supervision in Year	Average Number of Offenders on Supervision (2)	Percentage of Offenders Readmitted for Committing New Felony Offenses While on Supervision
FY98	7933	934	4047	427	7812	5.47%
FY99	7745	786	4020	426	7757	5.49%
FY00	7280	785	3902	418	7470	5.60%
FY01	7465	396	3990	227	6203	3.66%
FY02	8809	466	4788	268	5300	5.06%
FY03	8948	579	4777	275	5525	4.98%
FY04	8276	483	4515	267	5739	4.65%
FY05	8014	502	4272	282	6129	4.60%
FY06	5440	494	3129	292	6578	4.44%
FY07(1)	2142	263	1301	150	6793	2.21%

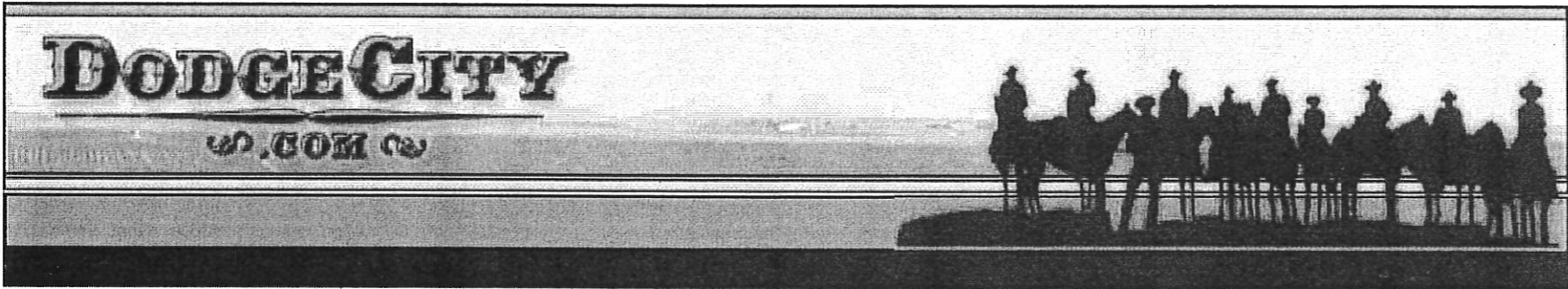
**Proportion of Community Corrections Average Daily Population and Revocations
By Agency**

Year to Date Average Daily Population (ADP) - May, 2007			Fiscal Year 2006 Revocations		
Community Corrections Agency	ADP	% Statewide ADP	Community Corrections Agency	Revocations	% Statewide Revocations
Sedgwick County	1344.4	18.10%	Sedgwick County	569.0	28.31%
Johnson County	837.2	11.27%	Unified Government	251.0	12.49%
Unified Government	505.9	6.81%	Johnson County	218.0	10.85%
Shawnee County	456.4	6.14%	28th District	90.0	4.48%
28th District	370.2	4.98%	Shawnee County	89.0	4.43%
8th District	275.3	3.71%	Reno County	69.0	3.43%
11th District	218.6	2.94%	8th District	64.0	3.18%
Reno County	217.6	2.93%	4th District	51.0	2.54%
Harvey / McPherson Counties	215.3	2.90%	5th District	48.0	2.39%
Douglas County	203.0	2.73%	Douglas County	46.0	2.29%
4th District	199.3	2.68%	25th District	46.0	2.29%
Riley County	182.6	2.46%	Santa Fe Trail	42.0	2.09%
Central Kansas	182.0	2.45%	6th District	38.0	1.89%
31st District	176.8	2.38%	11th District	37.0	1.84%
25th District	165.2	2.22%	13th District	34.0	1.69%
Cowley County	163.0	2.19%	Harvey / McPherson Counties	33.0	1.64%
Northwest Kansas	159.5	2.15%	31st District	31.0	1.54%
13th District	159.2	2.14%	Riley County	28.0	1.39%
6th District	155.1	2.09%	Montgomery County	27.0	1.34%
Cimarron Basin	152.7	2.06%	Cimarron Basin	24.0	1.19%
Santa Fe Trail	151.4	2.04%	Sumner County	24.0	1.19%
5th District	146.0	1.97%	Leavenworth County	23.0	1.14%
Montgomery County	128.6	1.73%	Northwest Kansas	21.0	1.04%
South Central Kansas	114.2	1.54%	Central Kansas	20.0	1.00%
22nd District	100.1	1.35%	Cowley County	20.0	1.00%
24th District	88.0	1.18%	Atchison County	16.0	0.80%
2nd District	86.1	1.16%	22nd District	14.0	0.70%
Leavenworth County	80.5	1.08%	South Central Kansas	13.0	0.65%
Sumner County	76.6	1.03%	12th District	10.0	0.50%
Atchison County	68.7	0.92%	24th District	8.0	0.40%
12th District	49.1	0.66%	2nd District	6.0	0.30%
Total	7428.6	100.00%	Total	2010.0	100.00%

KANSAS COMMUNITY CORRECTIONS				
FY08 BASE ALLOCATIONS and SB 14 AWARDS				
COMMUNITY CORRECTIONS AGENCY	TOTAL AISP & SB 123	Residential	SB14 RRI Award	Total Awards
02nd Judicial District Community Corrections	\$164,503.66		\$17,716.00	\$182,219.66
04th Judicial District Community Corrections	\$376,008.35		\$85,760.00	\$461,768.35
05th Judicial District Community Corrections	\$286,034.93		\$91,402.20	\$377,437.13
06th Judicial District Community Corrections	\$308,864.00		\$54,661.85	\$363,525.85
08th Judicial District Community Corrections	\$505,596.97		\$17,369.45	\$522,966.42
11th Judicial District Community Corrections	\$416,294.99		\$75,034.00	\$491,328.99
12th Judicial District Community Corrections	\$94,674.09		\$69,384.01	\$164,058.10
13th Judicial District Community Corrections	\$292,077.93		\$69,500.54	\$361,578.47
22nd Judicial District Community Corrections	\$182,632.62		\$64,525.90	\$247,158.52
24th Judicial District Community Corrections	\$163,832.21		\$32,471.77	\$196,303.98
25th Judicial District Community Corrections	\$316,921.33		\$89,807.48	\$406,728.81
28th Judicial District Community Corrections	\$703,001.37		\$192,141.75	\$895,143.12
31st Judicial District Community Corrections	\$336,393.20		\$71,150.16	\$407,543.36
Atchison County Community Corrections	\$132,945.81		\$19,259.95	\$152,205.76
Cimarron Basin Community Corrections	\$286,706.38		\$85,884.41	\$372,590.79
Central Kansas Community Corrections	\$345,793.40		\$65,735.05	\$411,528.45
Cowley County Community Corrections	\$298,792.35		\$91,177.89	\$389,970.24
Douglas County Community Corrections	\$386,751.46		\$94,140.00	\$480,891.46
Harvey/McPherson Community Corrections	\$400,180.33		\$103,034.25	\$503,214.58
Johnson County Community Corrections	\$1,243,513.43	\$868,568.40	\$304,631.00	\$2,416,712.83
Leavenworth County Community Corrections	\$152,417.66		\$34,143.02	\$186,560.68
Montgomery County Community Corrections	\$230,976.55		\$53,122.68	\$284,099.23
Northwest Kansas Community Corrections	\$311,549.78		\$72,020.42	\$383,570.20
Riley County Community Corrections	\$349,150.63		\$88,195.64	\$437,346.27
Reno County Community Corrections	\$433,752.51		\$119,188.50	\$552,941.01
South Central Kansas Community Corrections	\$216,876.25		\$57,085.60	\$273,961.85
Santa Fe Trail Community Corrections	\$288,049.26		\$78,533.17	\$366,582.43
Sedgwick County Community Corrections	\$2,239,935.65	\$1,199,451.60	\$928,809.52	\$4,368,196.77
Shawnee County Community Corrections	\$868,847.93		\$181,452.96	\$1,050,300.89
Sumner County Community Corrections	\$136,974.46		\$30,375.26	\$167,349.72
Unified Government Community Corrections	\$958,821.35		\$655,740.74	\$1,614,562.09
TOTAL	\$13,428,870.84	\$2,068,020.00	\$3,993,455.17	\$19,490,346.01

Number and Percentage of Community Corrections Offenders Discharged in FY 2006 by Agency and Reason for Closure

CC Agency	Offenders Discharged	Rev. - Condition % Closures	Rev. - New Felony % Closures	Rev. - New Misdemeanor % Closures	Total # Revocation Closures	% Revocation Closures	Successful	% Closures	Unsuccessful	% Closures	Other (Death/Not Sentenced to CC)	% Closures	
02D	50	3	6.0%	3	6.0%	6	12.0%	37	74.0%	3	6.0%	4	8.0%
04D	145	38	26.2%	7	4.8%	6	4.1%	51	35.2%	79	54.5%	14	9.7%
05D	146	39	26.7%	5	3.4%	4	2.7%	48	32.9%	86	58.9%	11	7.5%
06D	86	26	30.2%	11	12.8%	1	1.2%	38	44.2%	37	43.0%	5	5.8%
08D	188	51	27.1%	11	5.9%	2	1.1%	64	34.0%	85	45.2%	38	20.2%
11D	107	28	26.2%	7	6.5%	2	1.9%	37	34.6%	61	57.0%	4	3.7%
12D	31	10	32.3%					10	32.3%	19	61.3%	1	3.2%
13D	82	27	32.9%	4	4.9%	3	3.7%	34	41.5%	39	47.6%	5	6.1%
22D	81	11	18.0%	1	1.6%	2	2.5%	14	23.0%	38	62.3%	8	13.1%
24D	37	7	18.9%			1	2.7%	8	21.6%	24	64.9%	4	10.8%
25D	139	33	23.7%	9	6.5%	4	2.9%	46	33.1%	81	58.3%	7	5.0%
28D	206	62	30.1%	19	9.2%	9	4.4%	90	43.7%	94	45.6%	18	8.7%
31D	93	23	24.7%	7	7.5%	1	1.1%	31	33.3%	53	57.0%	6	6.5%
AT	38	13	34.2%	2	5.3%	1	2.6%	16	42.1%	11	28.9%	5	13.2%
CEK	80	16	20.0%	4	5.0%			20	25.0%	47	58.8%	9	11.3%
CB	104	15	14.4%	9	8.7%			24	23.1%	39	37.5%	37	35.6%
CL	82	17	20.7%	3	3.7%			20	24.4%	39	47.6%	15	18.3%
DG	164	42	25.6%	2	1.2%	2	1.2%	46	28.0%	100	61.0%	14	8.5%
HVMP	121	32	26.4%			1	0.8%	33	27.3%	58	47.9%	20	16.5%
JO	580	154	26.6%	44	7.6%	20	3.4%	218	37.6%	295	50.9%	31	5.3%
LV	56	19	33.9%	4	7.1%			23	41.1%	17	30.4%	13	23.2%
MG	68	15	22.1%	8	11.8%	4	5.9%	27	39.7%	36	52.9%	1	1.5%
NWK	117	19	16.2%	1	0.9%	1	0.9%	21	17.9%	88	75.2%	2	1.7%
RN	186	62	33.3%	7	3.8%			69	37.1%	84	45.2%	27	14.5%
RL	99	19	19.2%	7	7.1%	2	2.0%	28	28.3%	47	47.5%	22	22.2%
SFT	95	41	43.2%	1	1.1%			42	44.2%	25	26.3%	25	26.3%
SC	1018	455	44.7%	76	7.5%	38	3.7%	569	55.9%	387	38.0%	22	2.2%
SN	271	78	28.8%	8	3.0%	3	1.1%	89	32.8%	159	58.7%	16	5.9%
SCK	85	8	12.3%	4	6.2%	1	1.5%	13	20.0%	48	73.8%	2	3.1%
SU	43	21	48.8%	3	7.0%			24	55.8%	12	27.9%	6	14.0%
UC	465	241	51.8%	10	2.2%			251	54.0%	83	17.8%	120	25.8%
State	4912	1597	32.5%	269	5.5%	105	2.1%	1971	40.1%	2255	45.9%	500	10.2%



Local

Web-posted Jan. 15, 11:07 AM

Creating a safer Dodge City

Community corrections makes program changes to reduce number of probation violators

By A
Doc

"Between July 1, 2006, and today, SFTCC has already reduced by 59.1 percent the number of felony offenders who are sent to prison for violating the conditions of their probation."

"In our application for the grant, we told the state that we would reduce our rates by 25 percent," said Klecker. "And we've already reduced it by much more than that."

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Good Time & Program Credit Implementation

- Establishment of Implementation Task Groups
 - SB 14 Systems Task Group (selected stakeholders)
 - SB 14 Subcommittee (testing & review committee)
 - SB 14 IT Steering Committee (IT design)
- Re-Design
 - Received concept approval from classification administrators and legal counsel on computer programs, sentence computation rules and a review of all procedures impacted
 - Completed project concept document for SB 14 Good Time Adjustments and Program Credits
- Regulations & Policies
 - Draft revisions to KAR – completed & submitted to legal on November 15, 2007
 - Draft Program Credit Policy – completed on January 10, 2008

Good Time & Program Credit Implementation (cont'd)

- Programming Applications
 - Identification & review of possible aggregate concurrent & consecutive sentencing scenarios
 - Redesign of automated good time system
 - Design of automated SB 14 good time computation system
 - Identification of new release date fields
- Reporting & Evaluating
 - Reviewed date collection fields for reporting & evaluating

Good Time & Program Credit Implementation (cont'd)

- Three programmers & a systems analyst are working on the design of new programs and redesign of existing programs for good time, sentence record, & program data entry. All reports and display screens in the OMIS & TOADS systems are being reviewed.
- Two phases of training are being developed for delivery to facility classification, unit team, & records staff.
 - Phase 1: a general overview of concepts and terminology
 - Phase 2: a more detailed training focused on accurate & timely data entry, and inmate program & release tracking
- The goal is to have all programming completed & implemented by May 1, 2008.

Riley County #1

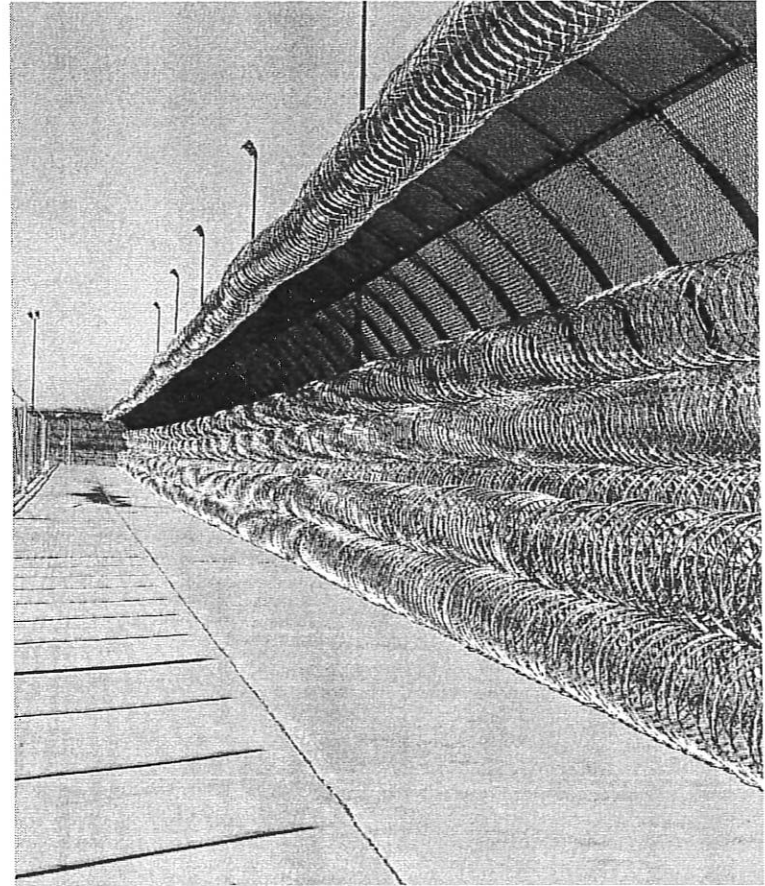
- Riley County #1 contends that the secretary did not comply with the statutory formula contained in K.S.A. 75-52,111 in determining and awarding annual grants to Kansas' community corrections agencies.
- Contends that funding is to be determined by statutory formula regardless of how much money the legislature appropriates (and that the State owed them approximately \$2.5 million).
- Case was dismissed on motion by KDOC on May 23, 2007
- Riley County has appealed to the Kansas Court of Appeals.

Riley County #2

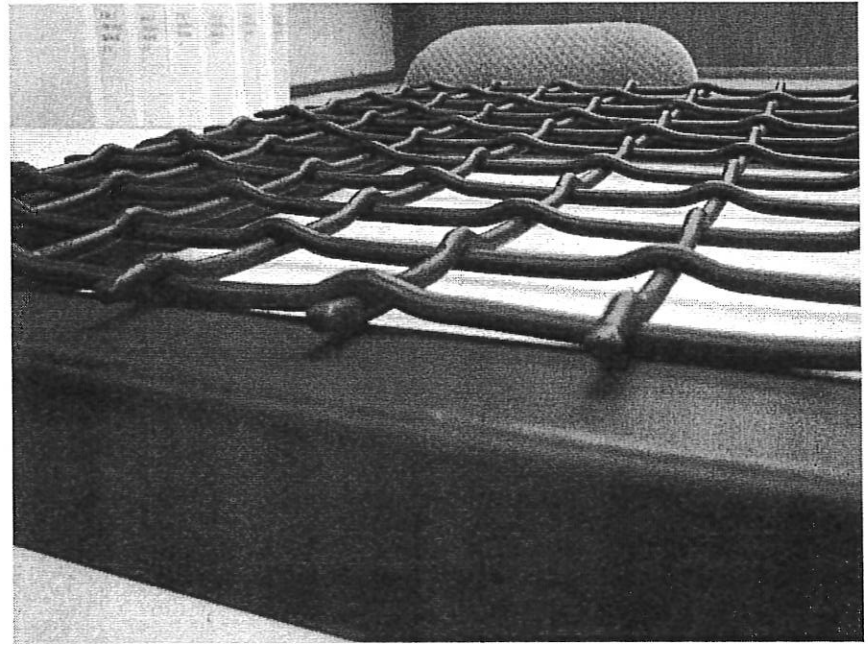
- During the 2007 legislative session, the Kansas legislature amended K.S.A. 75-52,111 (in part due to Riley County #1).
- Riley County #2 contends that because a KDOC employee gave notice of the FY 2008 grant award prior to July 1, 2007 the old version of K.S.A. 75-52,111 controls.
- Riley County #2 asserts the language of SB 14 reflects on its face that it does not apply to FY 2008 and, therefore, the old version of K.S.A. 75-52,111 applies to the FY 2008 grant award.
- Riley County #2 maintains that if the old version of K.S.A. 75-52,111 controls, they are entitled to the additional funds of \$366,000.00 for FY 2008 given their interpretation of the old law as asserted in Riley County #1.
- This case was dismissed on KDOC's motion on Oct. 29, 2007. A subsequent motion to reconsider by the county was denied on Jan. 11, 2008

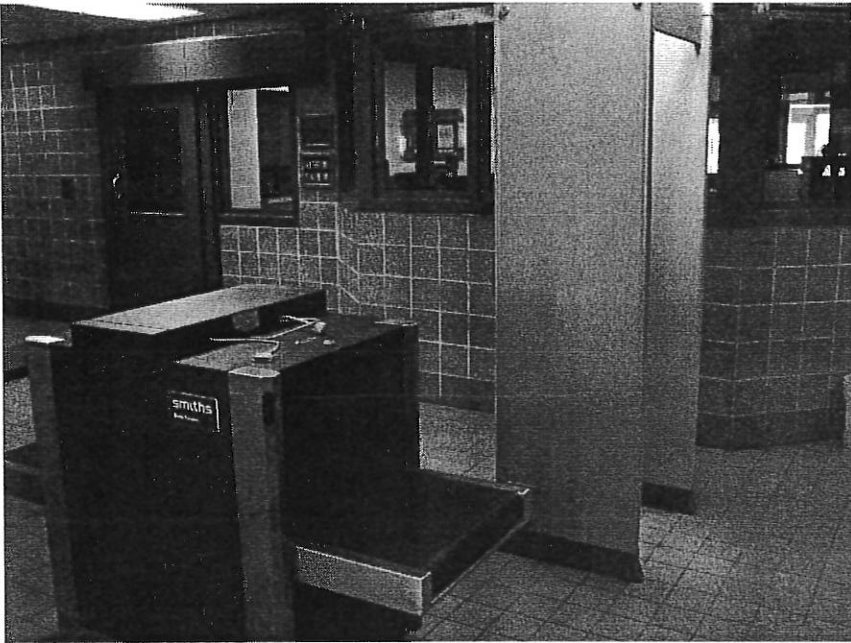


Demolition for construction of the new clinic/infirmarium in the maximum security unit at Lansing Correctional Facility.

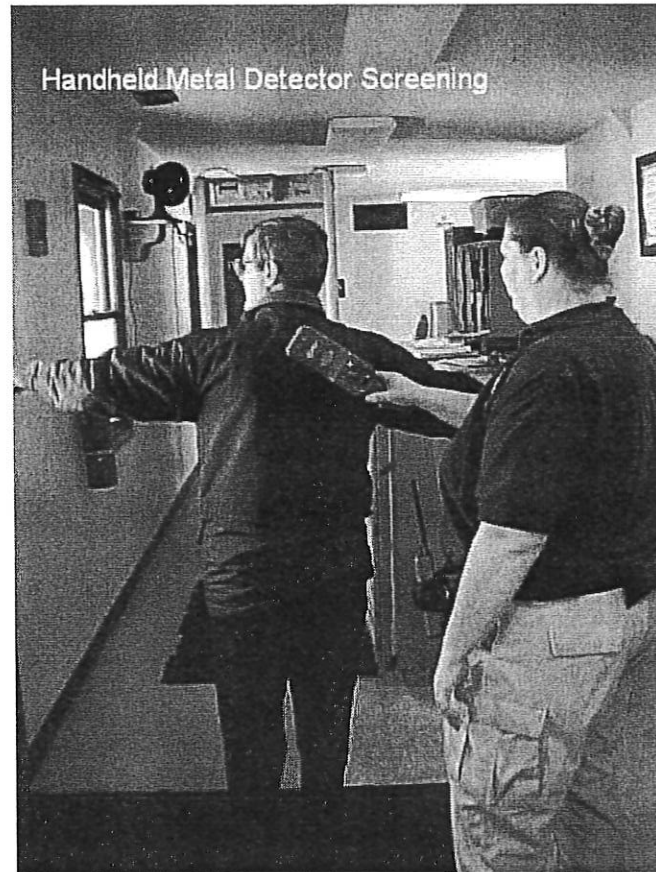
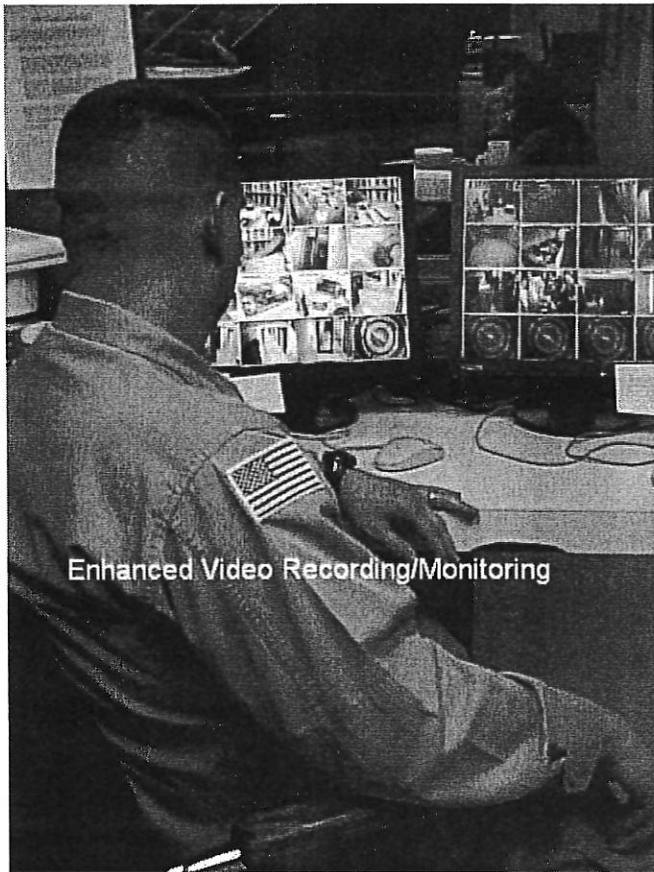


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Guard1 Plus Rounds Tracker