

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairperson Pat Colloton at 1:30 p.m. on January 21, 2009, in Room 535-N of the Capitol.

All members were present.

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes
Athena Andaya, Kansas Legislative Research Department
Jerry Donaldson, Kansas Legislative Research Department
Jackie Lunn, Committee Assistant

Conferees appearing before the Committee:

Roger Werholtz, Secretary, Kansas Department of Corrections
Margie Phelps, Director of Risk Reduction & Reentry, Kansas Department of Corrections

Others attending:

Chairperson Colloton opened the meeting by calling for bill introductions and recognized Representative Dillmore.

Representative Dillmore moved to introduce a bill regarding unlawful sexual relations including clergy when a victim is being counseled. Representative Spalding seconded.

A discussion followed.

Chairperson Colloton called for a vote. Motion carried.

Being no further bill introductions, Chairperson Colloton introduced Roger Werholtz, Secretary of the Kansas Department of Corrections to give an overview of the Kansas Department of Corrections. Secretary Werholtz provided a written copy of his power point presentation. (Attachment 1) He called the Committee's attention to documentation passed out entitled *Kansas Department of Corrections Budget Reductions-Fiscal Years 2009 and 2010*. (Attachment 2) and began his presentation highlighting the following:

- The location and number of correctional facilities across the state
- Northern and southern parole regions
- Kansas Community Corrections Agencies
- Kansas Judicial Districts-adult probation and Court services
- FY 2007 through 2009 population projections
- Kansas administration trends
- KDOC performance measures
- FY 2008 turnover rates/uniformed staff only
- FY 2009 turnover rates/uniformed staff only
- Total staff turnover rates
- Impact of turnover rates
- Vacancies/absences in uniformed ranks

Questions from the Committee were addressed by Secretary Werholtz during his presentation.

Upon the conclusion of Secretary Werholtz's presentation, he introduced Margie Phelps, Director of Risk Reduction and Reentry, to give her presentation. Director Phelps provided a written copy of her presentation. (Attachment 3) She gave a quick overview on risk reduction highlighting the following:

- Risk is the likelihood a person will engage in further criminal behavior
- Reentry is a point in time as a person moves through the criminal justice system and is one of the opportunities to reduce risk
- Risk reduction can be done by any person, staff, or volunteer, at any point of contact with offenders
- Risk reduction opportunities

CONTINUATION SHEET

Minutes of the House Corrections And Juvenile Justice Committee at 1:30 p.m. on January 21, 2009, in Room 535-N of the Capitol.

- Geographic-based reentry programs
- Volunteers supporting risk reduction & reentry work/Kansas Mentoring Gold Star Program

Upon the conclusion of the overview, Director Phelps stated they were working on the following:

- The return rates of mentally ill offenders
- Broadening the scope of cognitive services for low risk offenders
- Trained job specialists expanding work with employers and workforce centers for more job development
- Pursuing more family services through federal child support agency and private foundations
- Piloting caseloads in facilities based on risk levels

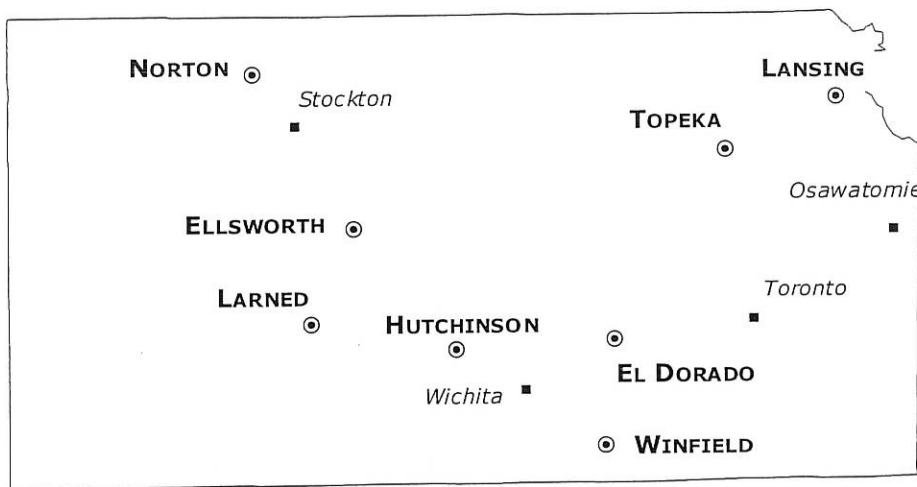
Upon the completion of Director Phelp's overview, Chairperson Colloton called on Secretary Werholtz and asked if the other presenters could come back tomorrow. Secretary Werholtz stated they could return. With that said, Chairperson Colloton adjourned the meeting at 2:55 p.m. with the next meeting scheduled for February 22, 2009 at 1:30 p.m. in room 535N.

Presentation to House Committee on Corrections and Juvenile Justice Oversight

Roger Werholtz
Secretary of Corrections
January 21, 2009

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Location of KDOC Correctional Facilities



CENTRAL UNIT LOCATION

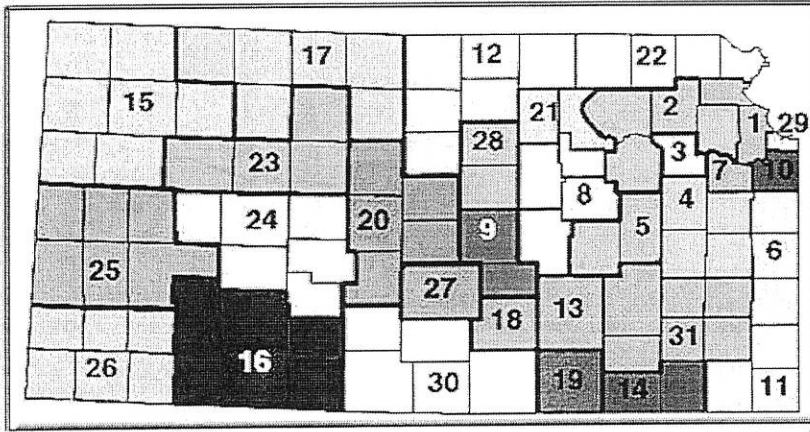
Administrative Subunit Location₂

Corrections and Juvenile Justice

Date: 1-21-09

Attachment # 1-1

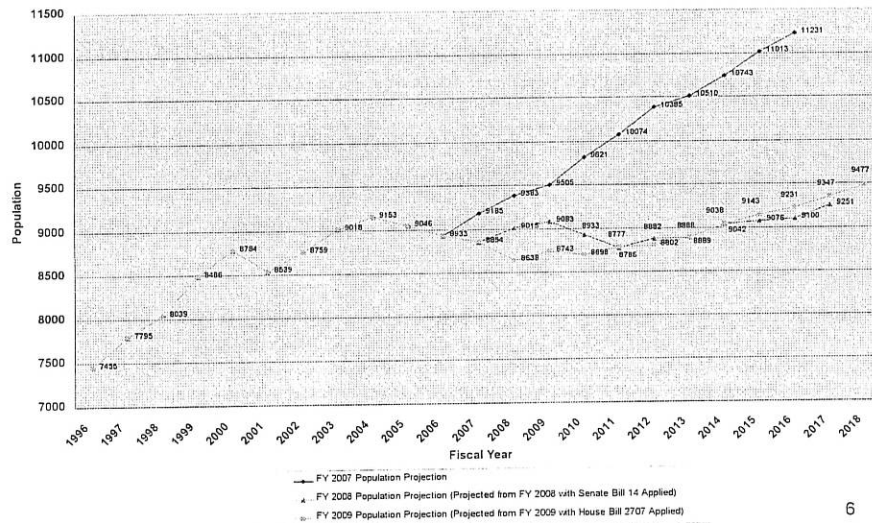
Kansas 31 Judicial Districts – Adult Probation/Court Services



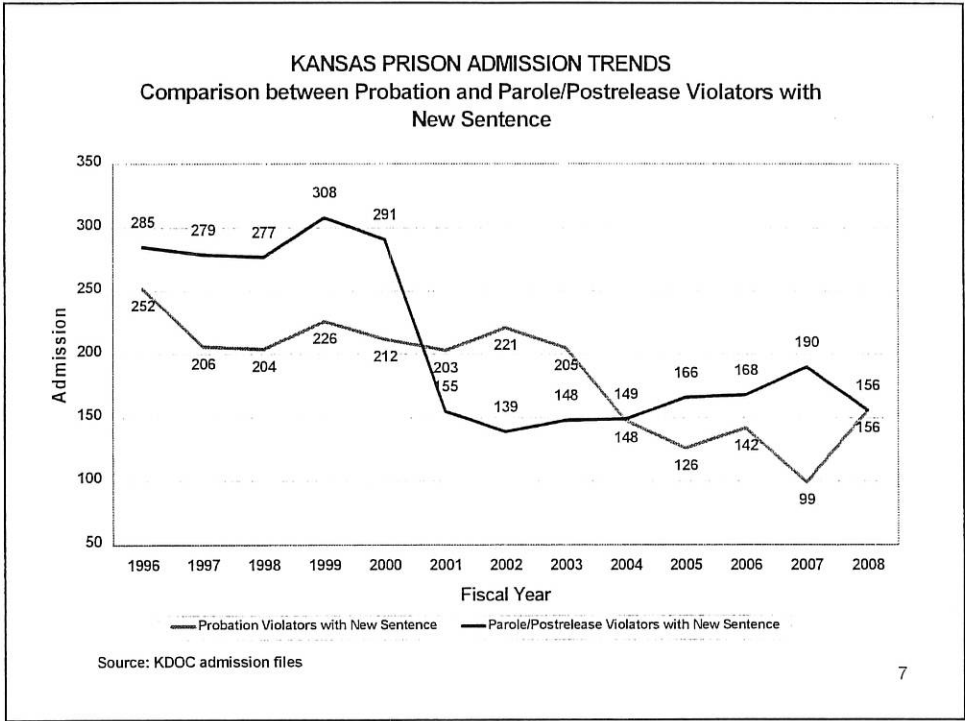
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FY 2007 -2009 Population Projections

Kansas Prison Population Trend - Actual and Projected



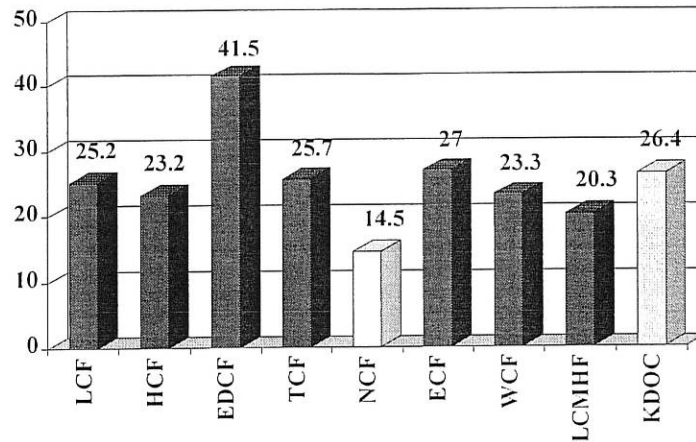
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- ### KDOC Performance Measures
- 8,514 – facility population on 1/12/09 (9,251 on 2/19/04)
 - 5,875 – Parole Population on 1/12/09 (4,261 on 2/19/04, 4,167 on 6/30/03)
 - 106 – FY 2008 monthly parole revocation rate (FY 2003 rate = 203/month)
 - 99 – FY 2009 to date monthly parole revocation rate
 - 217 – number of parole absconders on 1/12/09 (739 on 6/30/00, 467 on 6/30/03, 248 on 6/30/08, 197 on 12/11/08)
 - 35% reduction in felony convictions for crimes committed on parole (FY 1998 – 2000 avg. compared to FY 2004 – 2007 avg.)

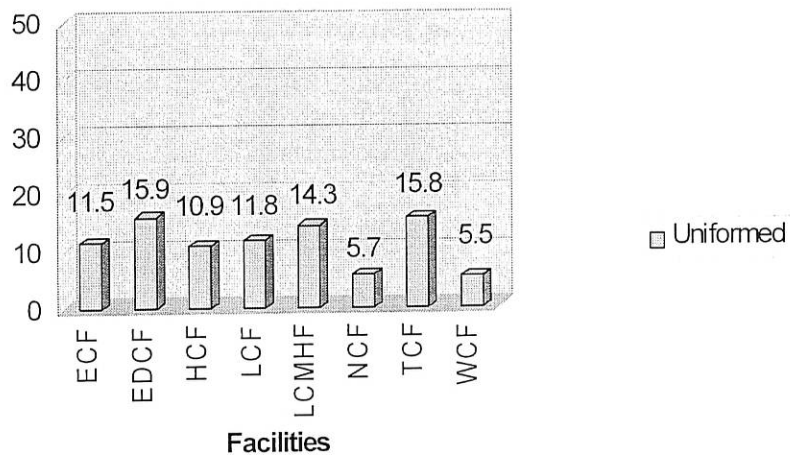
FY 2008 Turnover Rates Uniformed Staff Only

by percent



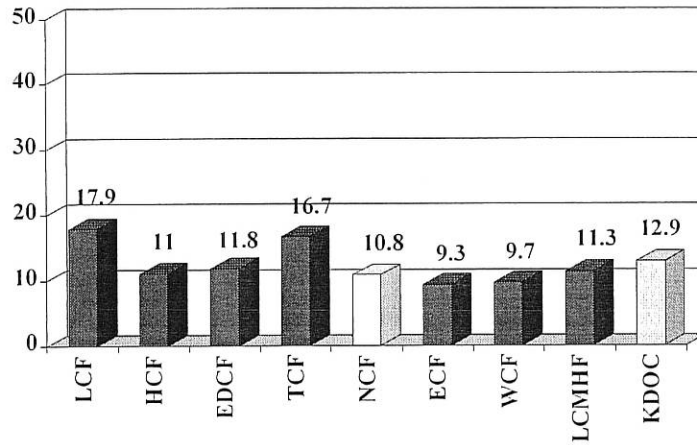
FY 2009 Turnover

Uniformed



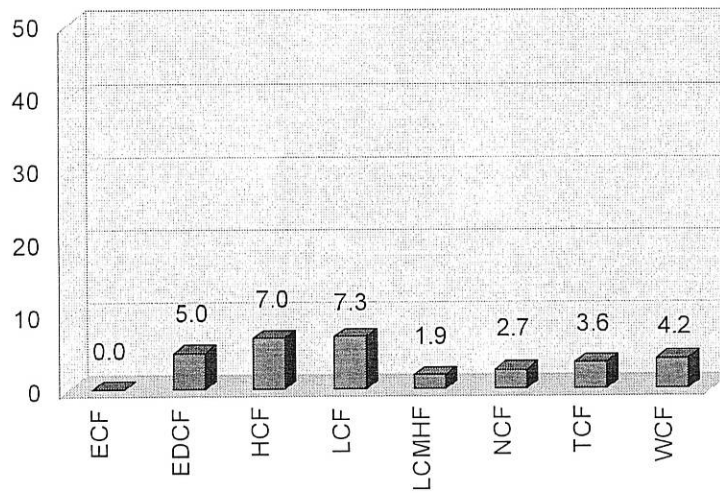
FY 2008 Turnover Rates Non-Uniformed Staff Only

by percent



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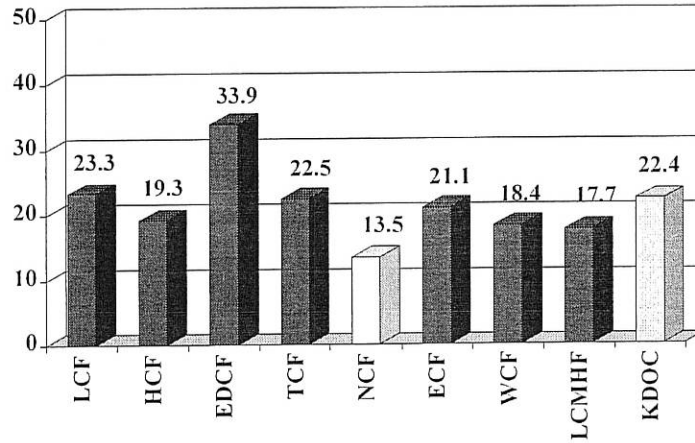
FY 2009 Non-Uniformed Staff Turnover Rates



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Total Staff Turnover Rates FY 2008

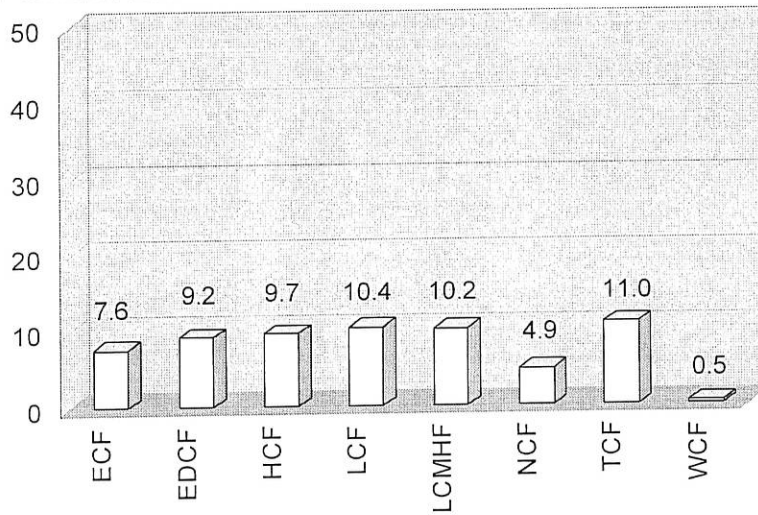
by percent



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FY 2009 Combined Staff Turnover Rates



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1-7

Impact of Turnover Rates

- Every new officer must complete 240 hours of training prior to assuming a post independently – With the current turnover rate that equates to 61 uniformed positions being open all year.
- It takes on average about 30 days to fill each uniformed position - With the current turnover rate, that equates to an additional 44.7 uniformed positions being open all year.
- 105.7 uniformed positions open all year due solely to turnover

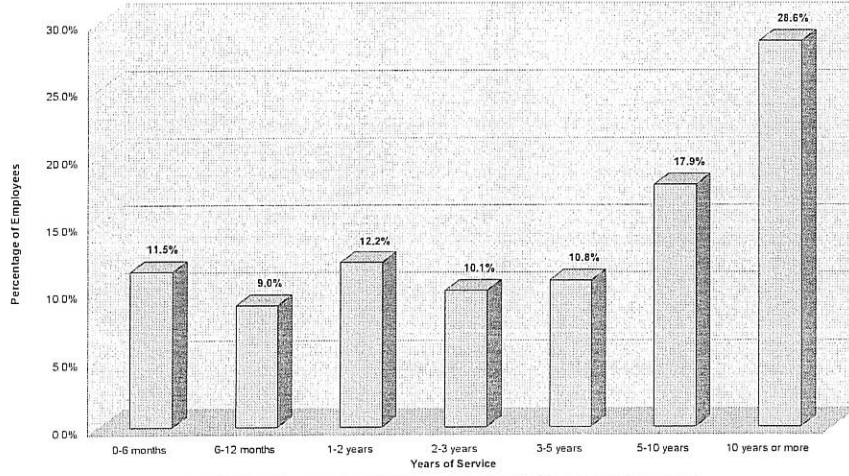
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Vacancies/Absences in Uniformed Ranks

- Turnover is not the only issue – 8/15/08 snapshot
 - 80 uniformed positions vacant
 - 51 uniformed positions on extended sick leave, FMLA, shared leave, return to work status
 - 16 uniformed employees on workers comp.
 - 27 uniformed employees on military leave
 - 174 total uniformed positions unfilled or unable to work on 8/25/08. (8.7% of our uniformed positions)

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Years of Service - Corrections Officers I & II, CSI's (August 15, 2008)



	PERCENTAGE OF EMPLOYEES	NUMBER OF EMPLOYEES
0-6 months	11.5%	191
6-12 months	9.0%	150
1-2 years	12.2%	203
2-3 years	10.1%	168
3-5 years	10.8%	180
6-10 years	17.9%	299
10 years or more	28.6%	476
TOTAL		1667

**KANSAS DEPARTMENT OF CORRECTIONS
BUDGET REDUCTIONS - FISCAL YEAR 2009 - \$7,945,182**

1/13/09

<u>Item</u>	<u>Amount</u>
Delete unobligated amount for offender programs	(900,000)
Health care contract savings - reduced facility populations	(423,000)
Health care contract savings from intentionally holding positions vacant and delaying equipment purchases	(348,000)
Food service contract savings - reduced inmate population	(454,436)
Close day reporting centers on January 15, 2009 (\$969,000) and retain \$231,883 for partial continuation of services	(737,117)
Reduced payments for support of female conservation camp due to lower than budgeted average daily population for the first six months of the fiscal year	(80,000)
Close female conservation camp effective January 1, 2009	(483,000)
Replace financing of the health care contract with transfer from Correctional Industries Fund	(468,447)
Increase central office shrinkage rate to 5 percent	(295,000)
Assess shrinkage rate of 5 percent against JEHT reentry program positions	(120,000)
Increase budgeted amount for vehicle purchases	38,044
Reduce KSIP expenditures	(726)
Delete funding for replacement of major computer systems (OMIS and TOADS)	(1,461,500)
Replace community corrections funding with unexpended FY 2008 grant moneys already in local program accounts	(1,000,000)
Suspend operations of Osawatomie and Toronto correctional facilities effective April 1, 2009	(374,000)
Restructure debt service payments	(40,000)
Reduce debt service on infrastructure bond issue due to a shift in the expenditure of capitalized interest moneys and availability of moneys in the principal and interest account	(798,000)
Total	<u>\$ (7,945,182)</u>

Note: These reductions exclude amounts of (1) \$1,149,449 - FY 2008 savings reappropriated to FY 2009; (2) \$355,902 - reentry program savings; and (3) \$1,403,649 - financing shifts (including an additional transfer of \$653,649 from the Correctional Industries Fund) that were utilized to offset facility budget deficits (\$2,231,000) and restore a legislative base budget reduction (\$678,000). In addition, these reductions exclude removal of supplemental appropriation (\$737,117) for continuation of day reporting centers.

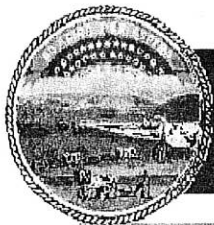
Corrections and Juvenile Justice
Date: 1-21-09
Attachment # 2-1

**KANSAS DEPARTMENT OF CORRECTIONS
BUDGET REDUCTIONS - FISCAL YEAR 2010 - \$20,114,568**

1/1

	<u>Amount</u>
Delete unallocated amount for offender programs	(904,000)
Reduce funding for offender programs	(3,284,075)
Replace financing for offender programs with additional commissions from inmate telephone contract	(750,000)
Food service and health care contract savings - reduced inmate population	(553,407)
Health care contract savings from intentionally holding positions vacant and delaying equipment purchases	(600,000)
Close Correctional Conservation Camps	(3,371,324)
Close day reporting centers (\$2,134,520) and retain \$1,265,000 for partial continuation of services	(869,520)
Suspend operations of the Osawatomie Correctional Facility	(902,699)
Suspend operations of the Toronto Correctional Facility	(907,393)
Eliminate funding for 4th time DUI offenders (offset by increasing DOC share of district court fines and forfeitures)	(538,000)
Replace financing of the health care contract with transfer from the Correctional Industries Fund	(1,202,904)
Reduce funding for community corrections grants, excluding adult residential centers, by three percent	(525,000)
Increase central office shrinkage rate to 5 percent	(305,000)
Assess shrinkage rate of 5 percent against JEHT reentry program positions	(166,000)
Suspend operations of the Stockton Correctional Facility	(1,647,927)
Delete funding for residential centers in Johnson and Sedgwick counties	(2,068,020)
Delete funding for replacement of major computer systems (OMIS/TOADS)	(450,000)
Restructure debt service payments	(835,000)
Partially suspend payments for fringe benefit employer contributions	(5,723,552)
Restore legislative base budget reduction (\$500,000 for central office operations; \$100,000 for GPS monitoring of high-risk offenders; and \$78,000 for parole services operations)	678,000
Replace one-time financing for victims services program	349,676
Continue replacement of special revenue financing for JEHT reentry program	772,468
Other base budget increases	190,016
Offset facility budget deficits (shrinkage, utilities, other operating costs)	2,852,693
Provide one-half of base increase in funding for health care contract	646,400
Total	<u><u>\$ (20,114,568)</u></u>

2.2



KANSAS DEPARTMENT OF CORRECTIONS

Update on Risk Reduction & Reentry
before the House Committee on
Corrections & Juvenile Justice

Everyone is responsible for success

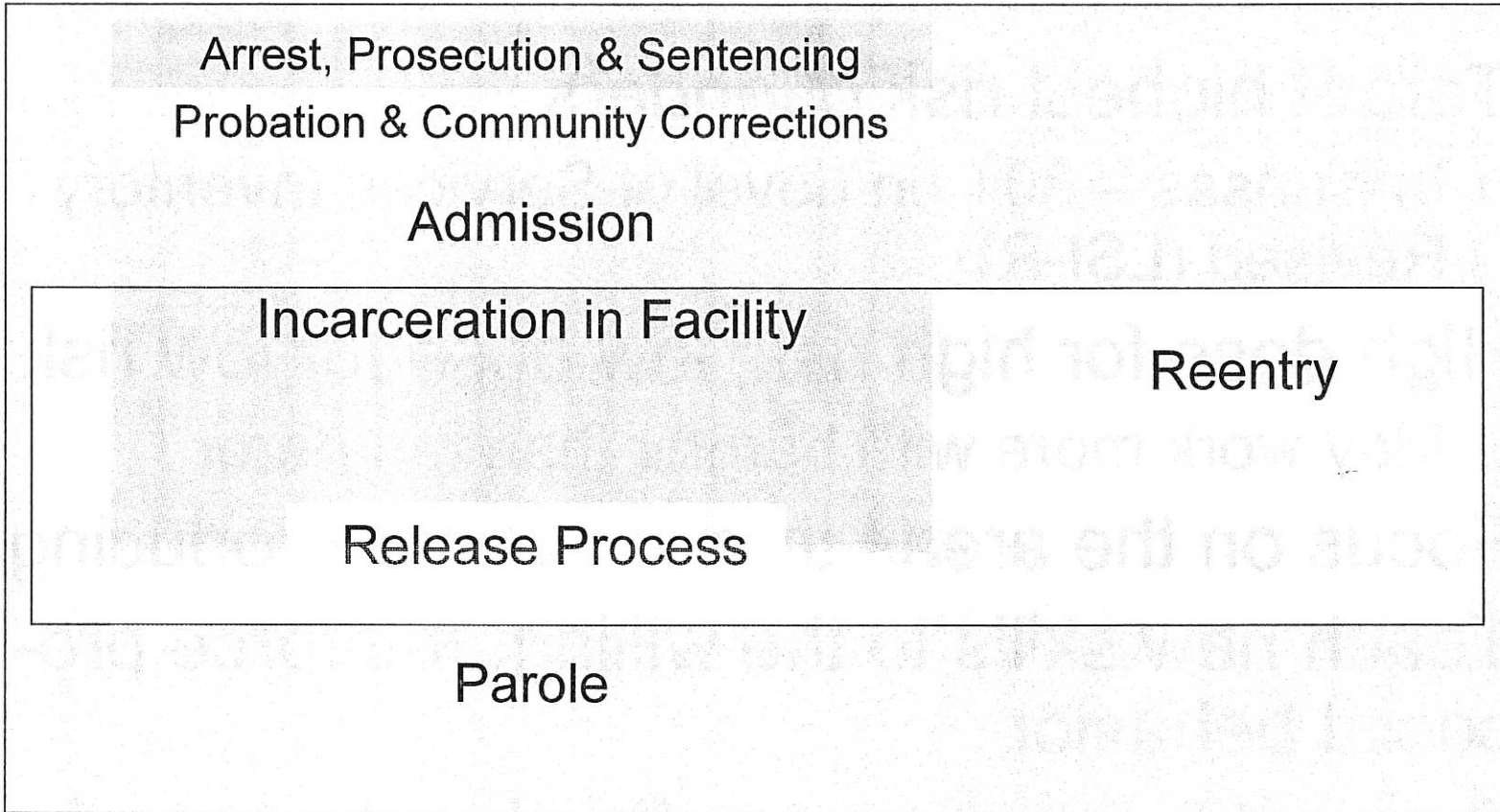
Margie Phelps
Reentry Director
January 21, 2009

Corrections and Juvenile Justice
Date: 1-21-09
Attachment # 3-1

What is Risk Reduction & Reentry?

- **Risk** is the likelihood a person will engage in further criminal behavior
- **Reentry** is a point in time as a person moves through the criminal justice system, one of the opportunities to reduce risk
- **Risk reduction** can be done by any person, staff or volunteer, at any point of contact with offenders

Risk Reduction Opportunities



Risk is reduced (*in addition to containment*) by using evidence-based practices to change behavior

- Target highest risk offenders
 - In Kansas = 30+ on Level of Services Inventory-Revised (LSI-R)
- High dose for high risk; low dose for low risk
 - May work more with burglar than murderer
- Focus on the areas that are crime-producing
- Teach new skills to the willing; reinforce pro-social behavior
- Connect to services so offenders have tools

Where do you find risk reduction work in Kansas?

- Community Corrections – SB14
 - Facilities – from the point of entry; more intense as they prepare for reentry
 - Parole – 78% have post-release supervision; risk reduction by specialists (high risk, mental health) and in some dose all parole officers
 - Community partners – through volunteers and their area of services, partners are learning and using risk reduction strategies
-

Work in the Facilities

- **44 specialized staff** through new or redeployed positions in eight prisons (nine sites), including
 - Coordinators of risk reduction services
 - Reentry counselors
 - Discharge planners
 - Release planners
 - Job and Cog Specialists
 - Substance Abuse Specialists
 - Volunteer Developers
 - Recorded **2484 services to 1911 offenders**
 - Average of 56 services per person per year
-

Geographic-Based Reentry Programs

- These programs,
 - Target 30+ on LSI-R, scheduled to release to the county, with 12-14 months left to release
 - Develop risk reduction and reentry plans, provide case management & classes and connection to services
 - Follow offender for 6-8 months in the community
 - In Shawnee and Sedgwick, merged reentry case manager/parole officer
- Shawnee County
 - Original “pilot”
 - After 3 years held returns at 29% (42-56% in comparison groups; 56-65% with high risk offenders nationally)
- Sedgwick County
 - Began serving offenders in April 2006
 - 8 months after release *early* returns of 8% return rates
- Wyandotte County
 - Began enrolling offenders in April 2008

Statewide Support

- Staff skills development and data/evaluation
- Access to benefits & services for disabled/mentally ill offenders
- Access to substance abuse treatment
- Community identification (DL, SS card)
- Detainer identification and resolution
- Volunteer development/support
- Cognitive services
- Job readiness/development
- Housing access and stability
- Family services
 - Child support obligations
 - Working with children of incarcerated parents

A few interesting facts ...

- Child support obligations (after 8 months of screening)
 - 33% of men have court-ordered obligations
 - At least half of the women have court-ordered obligations
 - 76% of men and 46% of women were in system as child
 - On average men owe \$11,337 in arrearage and women \$7,322
 - Total arrearages at admission \$11 million+

Facts ...

- Driver's license

- 579 offenders releasing in 4-month period (July-Oct 2009) who we could identify and check

- 47% (272) suspended or revoked in KS
- 20% (116) have no record of a KS DL
- 10% (58) expired in KS

77% have an issue

- 18% (104) have valid Kansas DL
- 5% (29) have DL in another state

Facts ...

- Volunteers supporting risk reduction & reentry work
 - KDOC's mentoring program was certified (first adult mentoring program certified) by the ***Kansas Mentoring Gold Star Program***
 - 6-month period (July – December 2008)
 - 225 volunteers
 - Served 932 offenders
 - With 4352 hours of volunteer work (**=108 weeks of work**)
 - Included co-facilitating classes, serving on community accountability panels, mentoring, and helping offenders get jobs or connect to services

How Risk Reduction & Reentry Can Help Mitigate Loss of Programs/Services

- **Broaden who we reach**
 - Focus on cases; example: specialists taking caseloads
 - Quality assurance, focus on fundamentals
- Continue to collect data; **analyze impact** so only most effective is done
- Continue to develop **partnerships for alternative resources**; example: community colleges providing vocational training or job readiness
- Through task forces strengthen **connection of systems to serve as many offenders as possible**; example: housing (tax credit properties) or substance abuse (RADAC relationships)
- Use norming of LSI-R to be sure we **hit the highest risk/need**

A few things we're working on ...

- Evaluation of **return rates of mentally ill offenders**
- Broaden scope of **cognitive services for low risk** offenders in low doses
- Trained job specialists expand work with employers and workforce centers for **more job development**
- Pursue **more family services** through federal child support agency and private foundations
- Pilot **caseloads in facilities based on risk levels**

Short Term Admissions

- In FY 2008 4,806 admissions (400 per month)
- **36 per month** (432/year ~ 9%) have **90 days or less** to serve
 - 29/mos of these have 60 days or less
 - 13/mos of these have 10 days or less
- **72%** of these short-term admissions release with **no post-release supervision**
- 50% return to the county they came from
- **88% go somewhere in Kansas** (12% out of state)