

Approved: 11-23-05 Date

## MINUTES OF THE HOUSE CORRECTIONS & JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Ward Loyd at 1:30 P.M. on January 18, 2005 in Room 241-N of the Capitol.

All members were present except:

Carol Beggs- excused  
Marti Crow- excused  
Mike Peterson- absent

Committee staff present:

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

Conferees appearing before the committee:

Susan Kang, Kansas Department Health & Environment  
Secretary Roger Werholtz, Kansas Department of Corrections  
Chuck Simmons, Kansas Department of Corrections  
Margie Phelps, Kansas Department of Corrections  
Roger Haden

Others attending:

See Attached List.

Susan Kang, KDHE, appeared before the committee to request a bill introduction of penalties relating to vital records.

Representative Davis made a motion that this request should be introduced as a committee bill. Representative Huntington seconded the motion. The motion carried.

Chuck Simmons, Kansas Department of Corrections, spoke to the committee on the Prison Rape Elimination Act of 2003. (Attachment 1) The purpose of the act, makes prevention of rape a top priority in corrections system. This act applies to all corrections facilities:

- Federal
- State
- Local
- Private

It establishes a zero-tolerance standard in correctional facilities; provides national standards to be developed for detection, prevention, reduction, and punishment of prison rape. The law applies to staff sexual misconduct, and inmate sexual assault and rape.

The Bureau of Justice Statistics of the Department of Justice will conduct each calendar year a comprehensive statistical review and analysis of the incidence and effects of prison rape.

- Survey not less than 10% of all inmates
- At least one prison from each state
- Participation by state or local entity is required as is access to inmates in their custody

The Review Panel on Prison Rape will hold hearings each year concerning the three prisons with the highest incidence of prison rape and the two prisons with the lowest incidence of prison rape (for each category of facilities). Purpose is to identify common characteristics of victim and perpetrators, facilities or systems with a high incidents, and of systems that appear to successful in deterring prison rape.

Margie Phelps, Reentry Director, Kansas Department of Corrections, provided the committee a power

point presentation with facts and information on reentry. ([Attachment 2](#)) Fast Facts:

- 98% of offenders are released to the community
- 20 – 25% without supervision
- 33% lack housing
- 50% lack solid job history/skills
- 20% have mental health needs, half severe/persistent
- 60 – 70% have substance addiction and/or use history (provisional diagnoses of addiction/dependence in about 25% of the cases)
- 33% lack pro-social/positive support system

There are 630,000 + leaving prison each year naturally; and 5,800 left Kansas prisons in 2004. Where are they going?

- 20% release with a full discharge, so don't know where they go.
- 65% will release to Sedgwick, Shawnee, Wyandotte, and Johnson counties (in that order of priority)

Criminal offense profile:

- 28% non-sex-person crimes (homicide, battery)
- 25% property crimes(theft, burglary)
- 22% drug crimes(possesion, sale)
- 20% sex crimes (rape, indecent liberties)
- 5% other (escape from custody, false writing)

Principles of risk reduction (different from risk containment)

- Good assessment
- Target high-risk offenders
- Address criminogenic risk/need for greatest chance of reduced recidivism
- Responsivity
- Professional discretion "gut instinct"

Information was provided on Shawnee, Sedgwick, and Wyandotte County re-entry programs.

Roger Haden, Deputy Secretary of Programs, Research and Staff Development, KDOC, provided the committee with power point presentation on staff development and training. ([Attachment 3](#)) Staff Development and Training provided:

- Advanced Communication & Motivational Strategies
- Case Management/Motivational Interviewing
- Cognitive Integration Training
- Cognitive Reflective Communication
- Domestic Violence Prevention
- Level of Service Inventory-Revised (LSI-R)
- Leadership Development Academy
- Offender Workforce Development Specialists
- Risk Management Model Overview

Time line and staff numbers were provided to the committee for training and staff development.

Roger Haden, Deputy Secretary of Programs, Research and Staff Development, KDOC, provided the committee a report on Offender Programs Evaluation. ([Attachment 4](#))

Measurement Areas:

- Output (process) - measures the efficiency of program usage through utilization rates and enrollment activity
- Outcome (recidivism as defined by return to prison) – measures the effectiveness of a program via recidivism rates

Two major differences between this report and previous report:

1. The length of the follow-up period
2. The pool of offenders studied

The goal is to compare “apples to apples” among the offender groups. Demographics and other characteristics were provided.

Information on other programs:

- Program Outcome Summary
- Sex Offender Treatment
- Substance Abuse Treatment – Outpatient (Alcohol & Drug Primary Treatment)
- Substance Abuse Treatment – Outpatient (Chemical Drug Recovery Program)
- Substance Abuse Treatment - Therapeutic Communities
- Vocational Education Programs
- Academic Education
- Pre-Release Reintegration Program
- Work Release Reintegration Program
- Innerchange Freedom Initiative Program (IFI)

The committee was adjourned at 3:20 pm. The next committee meeting is January 19, 2005.