

## MINUTES

### JOINT COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE OVERSIGHT

August 31-September 1, 2006  
Room 514-S—Statehouse

#### Members Present

Senator Pete Brungardt, Chairman  
Representative Bill Light, Vice Chairman  
Senator Greta Goodwin, Ranking Minority, Senate  
Representative Doug Gatewood, Ranking Minority, House  
Senator David Haley  
Senator Phil Journey  
Senator Kay O'Connor  
Senator Jean Schodorf  
Representative Kathe Decker  
Representative Jan Pauls  
Representative Dale Swenson  
Representative Jim Ward  
Representative Shari Weber

#### Member Absent

Senator Karin Brownlee

#### Staff Present

Reagan Cussimanio, Kansas Legislative Research Department  
Athena Andaya, Kansas Legislative Research Department  
Jerry Donaldson, Kansas Legislative Research Department  
Helen Pedigo, Revisor of Statutes Office  
Jill Wolters, Revisor of Statutes Office  
Deb O'Neil, Committee Secretary

#### Conferees

Patricia Biggs, Executive Director, Kansas Sentencing Commission  
Michael Youngken, Community Corrections Director, Johnson County Department of Corrections  
Ron Walker, Counselor, Johnson County Therapeutic Community  
Jennifer Keating, Parole Supervisor, Department of Corrections  
Tom Holtgrewe, Service Provider, Chautauqua

Nancy Fabiano, Regional Alcohol and Drug Assessment Center  
Ray Dalton, Deputy Secretary, Health Care Policy  
Dennis Williams, Fiscal Officer, Department of Corrections  
Bruce Thacher, Behavioral Interventions, Incorporated  
Matt Swando, Behavioral Interventions, Incorporated  
Laurent Lepoutre, Behavioral Interventions, Incorporated  
Mike Widerski, Behavioral Interventions, Incorporated  
Keven Pellant, Deputy Secretary, Department of Corrections  
Commissioner Don Jordan, Chairman, Sex Offender Policy Board  
Bill Noll, Director of Information Technology, Department of Corrections  
Gordon Lansford, Director, Kansas Criminal Justice Information Systems  
Kelly O'Brien, Chief Information Technology Officer, Office of Judicial Administration  
Kirk Thompson, Assistant Director, Information Services, Kansas Bureau of Investigation  
Dave Simm, Kansas Bureau of Investigation  
Roger Werholtz, Secretary, Department of Corrections

### **Thursday, August 31 Morning Session**

The meeting was called to order at 10:15 am.

The first order of business was to elect new officers.

*Representative Bill Light nominated Senator Pete Brungardt as the new Chairman. Representative Doug Gatewood seconded the motion. The motion carried.*

*Senator Pete Brungardt nominated Representative Bill Light as Vice-Chairman. Senator Greta Goodwin seconded the motion. The motion carried.*

*Representative Jan Pauls nominated Senator Greta Goodwin as Ranking Minority member for the Senate. Representative Gatewood seconded the motion. The motion carried.*

*Representative Jan Pauls nominated Representative Doug Gatewood for Ranking Minority member for the House. Representative Bill Light seconded the motion. The motion carried.*

Changes in staff for the Committee were noted by Senator Brungardt.

The Committee moved on to matters as set forth in the final agenda for this meeting.

### **Overview of Governor's Conference on Juvenile Justice**

Representative Jan Pauls had attended the Governor's Conference on Juvenile Justice, and she gave a brief overview of the topics that had been covered in those meetings. Representative Jan Pauls, Professor Richard Levy, KU Law School, and Wade Bowie, Assistant D. A. in Douglas County, presented information as a panel at the conference regarding the new Juvenile Justice Code. Those three were members of the Judicial Council Committee that is working on rewriting the code. Representative Pauls stated that juvenile justice issues have moved throughout the years to being more outcomes based. The Missouri model was not discussed in the meetings, but Representative

Pauls felt that it might be something the Committee should consider looking at more closely at a later time.

## **Overview of Johnson County Therapeutic Community**

Patricia Biggs, Executive Director of the Kansas Sentencing Commission, gave background on the Therapeutic Community (TC) in general, stating that the TC is the most intensive treatment modality in the continuum of treatment services under the SB 123 program. The Johnson County Therapeutic Community (JCTC) is the only TC certified by the Department of Corrections (DOC) to deliver SB 123 treatment.

Ms. Biggs covered past funding for the JCTC, which was from a Byrne Grant. The funding problems arose when a special condition was added to the Byrne Grant, of which the Sentencing Commission was initially unaware of. Ms. Biggs then discussed the supplemental appropriation received by the Sentencing Commission to accommodate additional billings of JCTC, as well as the current status of the JCTC ([Attachment 1](#)).

Michael Youngken, Community Corrections Director for the Johnson County Department of Corrections, presented the Committee with a report entitled "Cost-Benefit Analysis: Johnson County Therapeutic Community Program" which determined, among other things, that the social benefits of dollars spent on the JCTC program exceed economic costs. This report was prepared by the Docking Institute of Public Affairs at Fort Hays State University in Hays, Kansas ([Attachment 2](#)).

Ron Walker, Counselor with the Johnson County Therapeutic Community, gave an overview of the JCTC Program. He discussed the rules of the program, some of their requirements, the number of people working jobs, and many other issues in the program. Mr. Walker stated that the first priority is to stop the alcohol and drug abuse and then treat other issues. With past programs of a 30-day duration, the issues were barely touched, because of the time it takes to deal with the alcohol or drug problem.

The JCTC has a six-month program which includes the family in the treatment process, takes a philosophical approach, and includes a 12-step cognitive behavioral therapy. Clients are required to do "thinking reports," join small groups for interaction two to three times a week, work with Johnson County Mental Health, and participate in 12-step groups. This program takes away all of the "normal" coping mechanisms the clients have used in the past. This is significant because a large portion of their clientele were young when they started using drugs, before they had really set most of their normal patterns for living and established healthy patterns of coping. Individuals have all spent time in jail before entering the program. During the last 30 days of the program, all clients are encouraged to join an "outside" AA or NA group to help integrate them before they are totally on their own.

After six months, clients are released to a Residential Center where they are helped to find employment and given a ride to work. After three months, they are released to an Oxford House. After the initial six months, clients are required to come for weekly "after care" for an additional six months, actually making it a one-year program.

## Afternoon Session

### Driving Under the Influence (DUI) Treatment Services

Jennifer Keating, Parole Supervisor, Department of Corrections, spoke to the Committee on processing SB 67 DUI cases. Ms. Keating covered the actual process that is to be followed in a fourth or subsequent DUI, per KSA 8-1567 ([Attachment 3](#)).

Tom Holtgrewe, Service Provider, Chautauqua, shared with the Committee that his organization has 40 active clients at this time, having already treated over 100 clients. It provides outpatient Level I or II services, working together with Regional Alcohol and Drug Assessment Center (RADAC). The goal is for the client to continue in treatment throughout the post-release supervision. The length of time the program lasts is one full year, so there is a better outcome. Mr. Holtgrewe shared that basically, 70 percent of offenders complete the post-release supervision. The Chautauqua program is extremely cost efficient, as each person is assigned \$3,000 per year, and in the private sector, this amount would be used up within a 30-day period. Mr. Holtgrewe felt that jail time is not generally therapeutic, only motivational, so this type of program provides a much needed treatment perspective.

Nancy Fabiano, Heartland RADAC, shared that Heartland RADAC provides assessment, referral, and care coordination for fourth-time or subsequent DUI offenders. Referrals come directly from the DOC and participation in the fourth-time DUI program is mandatory during parole supervision. Ms. Fabiano stated that the multidisciplinary team collaboration is a key element to establishing successful outcomes in the fourth-time DUI program ([Attachments 4 and 5](#)).

Ray Dalton, Deputy Secretary of Social and Rehabilitation Services (SRS) for the Division of Health Care Policy, spoke to the Committee about the program administrated by SRS, known as the fourth-time DUI program. Mr. Dalton discussed the overall success of the program, as well as the fiscal implications of that success ([Attachment 6](#)).

Dennis Williams, Fiscal Officer with the KDOC, discussed financing issues of DUI treatment services. Mr. Williams discussed requirements for DUI offenders, provisions of KSA 2005 Supp. 74-7336, funding deficits, and the elimination of those deficits, as well as future fiscal needs for funding this program ([Attachment 7](#)).

## Friday, September 1 Morning Session

### Electronic Monitoring

Bruce Thacher, President, Behavioral Interventions (BI), Incorporated, was the first member of the BI team to address the Committee. For over 20 years, BI has focused on providing accountable supervision alternatives to incarceration and reducing the cost of corrections. BI is a national leader for offender-monitoring technology, supervision services, community-based treatment services, and re-entry programs. BI works closely with local corrections officials to reduce recidivism, enhance public safety, and strengthen the communities it serves. Mr. Thacher mentioned that global positioning systems (GPS) and electronic monitoring (EM) technologies limit movement, but have no long-term impact on recidivism, as they have no effect on behavior after removal. Mr. Thacher

also dealt with "Evidence-Based Adult Corrections Programs: What Works and What Does Not," reviewing the Washington State program (Attachment 8, pages 1-26).

Matt Swando, serving the Western Region of BI, gave an overview of satellite tracking, with an emphasis on what GPS cannot do, and stating that their system is designed to provide additional information and data to professionals who are working with the client (Attachment 8, pages 27-34). These systems require some compliance on behalf of the client or individual wearing the system. A significant reduction was seen with GPS when coupled with intensive supervision and cognitive therapy.

Mike Widerski, Field Work Supervisor with BI spoke of the practical use of passive and active units. With a passive unit, data is gathered in the first 45 minutes to an hour each day, then dealt with throughout the day. With an active unit, a field worker must carry a pager 24 hours a day and respond immediately when it goes off (there is a rotation for those carrying the 24-hour pagers).

Laurent Lepoutre, also with BI, gave a demonstration of the software provided by BI (Attachment 8, page 35). He said all that was needed to gain entrance to the information provided by the software was access to the Internet such as computers, laptops, PDAs.

Keven Pellant, Deputy Secretary of Field Services, KDOC, spoke to the Committee on global positioning monitoring in Kansas, on behalf of the DOC. Ms. Pellant stated that parole regions in Kansas are divided into the northern and southern regions and the major reasons for using GPS in those regions are law enforcement and prosecution. Ms. Pellant also discussed problems with past GPS products; a new request for proposal issued April 2006, in which the contract award is pending; and inventory control and budget issues (Attachment 9).

Jill Wolters, Revisor of Statutes Office, gave a brief overview of SB 506, regarding the establishment of the sex offender policy board (Attachment 10).

Commissioner Don Jordan, Juvenile Justice Authority, and Chairman, Sex Offender Policy Board, shared with the Committee that the purpose of the Board is to study issues related to the management of sex offenders and submit a written report of those findings to the Legislature before the first day of the 2007 Legislative Session. The report must include recommendations on electronic monitoring of sex offenders, public notification about sex offenders, management of juvenile sex offenders, and residency restrictions for sex offenders. Prior to the beginning of the 2008 Legislative Session, the Board will submit a report on treatment and supervision standards for sex offenders, the suitability of lifetime release supervision, sex offender safety education, and prevention strategies for the public. In their first meeting, August 31, 2006, the Board had the opportunity to examine issues surrounding the use of electronic monitoring for sex offenders. Future meetings will deal with the other three issues; those meetings are scheduled to take place on September 15, October 16, and another in November (Attachment 11).

## **Afternoon Session**

### **Overview of Kansas Criminal Justice Information System**

Gordon Lansford, Director, Kansas Criminal Justice Information Systems (KCJIS), informed the Committee that KCJIS is first a communications system, a highly secure network, and a data-sharing system with state, local, and national databases which connect all 105 counties in Kansas. It has been operational since 1998. He also stated that Kansas is ranked No. 1 in the use of

technology for Law Enforcement and the Courts by the Center for Digital Government; is consistently ranked among the top five states in integrated justice in the U.S., and the "Kansas model" is considered a template for integrated justice in the U.S. Additionally, KCJIS was a runner-up for "Innovations Award" by the Council of State Governments. Mr. Lansford began a slide presentation charting how KCJIS is set up, how it functions, and the needs of KCJIS that also was continued by the next three speakers (Attachment 12, slides 1-18. Slides 7, 8, 10 and 17 are enlarged at the back of Attachment 12).

Bill Noll, Chief Information Officer, DOC, continued the slide presentation at slide 20. Mr. Noll discussed the four major KDOC Systems: OMIS-Offender Administration and Facilities Management; TOADS-Parole Services and Community Correction supervision tool; KASPER Web-based public information regarding offenders; and EMR-Electronic Medical Records used by DOC medical service contractor. Mr. Noll addressed the viability of the systems DOC has and the gaps related to them. DOC has taken aggressive action to drive down costs, but one of the major problems in DOC is the sustainment of the information technology infrastructure, as there is nothing in place to fund updating systems (Attachment 12, slides 19-28).

Kirk Thompson, Assistant Director, Information Systems, Kansas Bureau of Investigation (KBI), gave an agency perspective of KCJIS, discussing the core KCJIS components with the KBI. Mr. Thompson also discussed the successes and challenges of KCJIS (Attachment 12, slides 29-32).

Kelly O'Brien, Chief Information Officer, Office of Judicial Administration, discussed the judicial perspectives, including document imaging, e-filing and e-citations (Attachment 12, slide 33).

Gordon Lansford closed the slide presentation on KCJIS, speaking on behalf of Patty Biggs, Kansas Sentencing Commission. Mr. Lansford discussed the information-sharing project, information flow and redundancies, status and challenges to the statute file, and the results, which would include a reduction in resources required, as well as more timely and accurate results. A summary was given on KCJIS by Mr. Lansford to end the presentations (Attachment 12, slides 34-41).

The Committee adjourned until the next meeting, September 21, 2006, at 10:00 a.m., in Topeka.

Prepared by Deb O'Neil  
Edited by Reagan Cussimanio

Approved by Committee on:

September 22, 2006  
(date)