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June 20, 2013

To: Joint Committee on Corrections and Juvenile Justice Oversight
From: Lauren Douglass, Principal Analyst
Re: Summary of Committee Responsibilities

The 1997 Legislature created the Joint Committee on Corrections and Juvenile Justice Oversight to provide legislative oversight of the Kansas Department of Corrections (KDOC) and the Juvenile Justice Authority (JJA). KDOC operates eight correctional facilities: El Dorado Correctional Facility, Ellsworth Correctional Facility, Hutchinson Correctional Facility, Lansing Correctional Facility, Larned Correctional Mental Health Facility, Norton Correctional Facility, Topeka Correctional Facility, and Winfield Correctional Facility. KDOC also operates parole offices throughout the state and is responsible for the administration of funding and oversight of local community corrections programs.

Pursuant to ERO 42, effective July 1, 2013, the jurisdiction, powers, functions, and duties of the JJA and the Commissioner of Juvenile Justice will be transferred to KDOC and the Secretary of Corrections. Individuals as young as 10 and as old as 17 years of age may be adjudicated as juvenile offenders (JOs) and remain in custody in a juvenile correctional facility (JCF) to age 22.5 and in the community to age 23. ERO 42 provides that JJA officers and employees engaged in the exercise of the powers, duties, and functions transferred by the ERO will be transferred to KDOC, unless they are not performing necessary services. KDOC will succeed to JJA's property and records, and the balance of all JJA funds will be transferred to KDOC and used only for the purpose for which the appropriation originally was made. KDOC will assume all jurisdiction, powers, functions, and duties relating to JCFs and institutions, and will be responsible for rules and regulations; educational services; passes, furlough, or leave; institutional security plans; and a rigid grooming code and uniforms for such institutions. There are two operational JCFs: Larned Juvenile Correctional Facility and Kansas Juvenile Correctional Complex. Finally, the ERO specifies KDOC will be responsible for JJA-related duties in various other areas, including juvenile intake; the Revised Kansas Juvenile Justice Code; regional youth care and rehabilitation facilities; supplemental youth care facilities; residential care facilities; community planning teams, juvenile justice programs, the Juvenile Justice Community Planning Fund, and the Juvenile Justice Community Initiative Fund; grants; community graduated sanctions and prevention programs and the community advisory committee; and the Kansas Advisory Group on Juvenile Justice and Delinquency Prevention.

The Joint Committee is composed of 14 members, with 7 members each from the House and Senate. In odd years, the chairperson and ranking minority member are House members, and the vice-chairperson is a Senate member, while in even years, the chairperson and ranking minority member are Senate members, and the vice-chairperson is a House member. The Committee's leadership is elected annually at its organizational meeting.

**Joint Committee on Corrections and Juvenile
Justice Oversight
June 20, 2013
Attachment 2**

The Committee's duties, as outlined in KSA 46-2801(k), are to monitor the inmate population and review and study KDOC's programs, activities, and plans regarding its statutorily prescribed duties, including the implementation of expansion projects; the operation of correctional, food service, and other programs for inmates; community corrections; parole; and the condition and operation of the correctional institutions and other facilities under the Department's control and supervision. The Committee also is charged to review and study the adult correctional programs and activities and facilities of counties, cities, and other local governmental entities, including the programs and activities of private entities operating community correctional programs and facilities, and the condition and operation of jails and other local governmental facilities for the incarceration of adult offenders.

Similarly, the Committee is charged to review and study programs, activities, and plans involving JOs, including the responsibility for their care, custody, control, and rehabilitation, and the condition and operation of the state JCFs. Further, the Committee is charged to review and study the JO programs and activities and facilities of counties, cities, school districts, and other local governmental entities, including programs for the reduction and prevention of juvenile crime and delinquency, programs and activities of private entities operating community juvenile programs and facilities, and the condition and operation of local governmental residential or custodial facilities for the care, treatment, or training of JOs.

The text of the Committee's governing statute is attached, and interim committee reports summarizing the Committee's recent activities are available upon request.

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KSA 46-2801. Joint committee on corrections and juvenile justice oversight; membership; duties and functions

- (a) There is hereby created the joint committee on corrections and juvenile justice oversight which shall be within the legislative branch of state government and which shall be composed of no more than seven members of the senate and seven members of the house of representatives.
- (b) The senate members shall be appointed by the president and the minority leader. The two major political parties shall have proportional representation on such committee. In the event application of the preceding sentence results in a fraction, the party having a fraction exceeding 0.5 shall receive representation as though such fraction were a whole number.
- (c) The seven representative members shall be appointed as follows:
 - (1) Two members shall be members of the majority party who are members of the house committee on appropriations and shall be appointed by the speaker;
 - (2) Two members shall be members of the majority party who are members of the house committee on judiciary and shall be appointed by the speaker; and
 - (3) Three members shall be members of the minority party who are members of the house committee on appropriations or the house committee on judiciary and shall be appointed by the minority leader.
- (d) Any vacancy in the membership of the joint committee on corrections and juvenile justice oversight shall be filled by appointment in the manner prescribed by this section for the original appointment.
- (e) All members of the joint committee on corrections and juvenile justice oversight shall serve for terms ending on the first day of the regular legislative session in odd-numbered years. The joint committee shall organize annually and elect a chairperson and vice-chairperson in accordance with this subsection. During odd-numbered years, the chairperson shall be one of the representative members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the senate members elected by the members of the joint committee. During even-numbered years, the chairperson shall be one of the senate members of the joint committee elected by the members of the joint committee and the vice-chairperson shall be one of the representative members of the joint committee elected by the members of the joint committee. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. If a vacancy occurs in the office of chairperson or vice-chairperson, a member of the joint committee, who is a member of the same house as the member who vacated the office, shall be elected by the members of the joint committee to fill such vacancy. Within 30 days after the effective date of this act, the joint committee shall organize and elect a chairperson and a vice-chairperson in accordance with the provisions of this act.
- (f) A quorum of the joint committee on corrections and juvenile justice oversight shall be eight. All actions of the joint committee shall be by motion adopted by a majority of those present when there is a quorum.
- (g) The joint committee on corrections and juvenile justice oversight may meet at any time and at any place within the state on the call of the chairperson, vice-chairperson and ranking

minority member of the house of representatives when the chairperson is a representative or of the senate when the chairperson is a senator.

- (h) The provisions of the acts contained in article 12 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, applicable to special committees shall apply to the joint committee on corrections and juvenile justice oversight to the extent that the same do not conflict with the specific provisions of this act applicable to the joint committee.
- (i) In accordance with KSA 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee on corrections and juvenile justice oversight.
- (j) The joint committee on corrections and juvenile justice oversight may introduce such legislation as it deems necessary in performing its functions.
- (k) In addition to other powers and duties authorized or prescribed by law or by the legislative coordinating council, the joint committee on corrections and juvenile justice oversight shall:
 - (1) Monitor the inmate population and review and study the programs, activities and plans of the department of corrections regarding the duties of the department of corrections that are prescribed by statute, including the implementation of expansion projects, the operation of correctional, food service and other programs for inmates, community corrections, parole and the condition and operation of the correctional institutions and other facilities under the control and supervision of the department of corrections;
 - (2) Monitor the establishment of the juvenile justice authority and review and study the programs, activities and plans of the juvenile justice authority regarding the duties of the juvenile justice authority that are prescribed by statute, including the responsibility for the care, custody, control and rehabilitation of juvenile offenders and the condition and operation of the state juvenile correctional facilities under the control and supervision of the juvenile justice authority;
 - (3) Review and study the adult correctional programs and activities and facilities of counties, cities and other local governmental entities, including the programs and activities of private entities operating community correctional programs and facilities and the condition and operation of jails and other local governmental facilities for the incarceration of adult offenders;
 - (4) Review and study the juvenile offender programs and activities and facilities of counties, cities, school districts and other local governmental entities, including programs for the reduction and prevention of juvenile crime and delinquency, the programs and activities of private entities operating community juvenile programs and facilities and the condition and operation of local governmental residential or custodial facilities for the care, treatment or training of juvenile offenders;
 - (5) Study the progress and results of the transition of powers, duties and functions from the department of social and rehabilitation services, office of judicial administration and department of corrections to the juvenile justice authority; and
 - (6) Make an annual report to the legislative coordinating council as provided in KSA 46-1207, and amendments thereto, and such special reports to committees of the house of representatives and senate as are deemed appropriate by the joint committee.