

Approved: 03/15/93  
Date

## MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairman Rochelle Chronister at 12:35 p.m. on March 01, 1993 in Room 514-S of the Capitol.

All members were present except: Rep. Betty Jo Charlton (excused absence)  
Rep. Dick Edlund (excused absence)  
Rep. Denise Everhart (excused absence)  
Rep. Wanda Fuller (excused absence)  
Rep. Delbert Gross (excused absence)  
Rep. Sheila Hochhauser (excused absence)

Committee staff present: Debra Duncan, Legislative Research Department  
Alan Conroy, Legislative Research Department  
Laura Howard, Legislative Research Department  
Jerry Cole, Committee Secretary  
Sharon Schwartz, Administrative Assistant

### Conferees appearing before the committee:

Dave Debusman, Department of Administration-Division of Architectural Services  
George Barbee, Kansas Consulting Engineers  
Trudy Aron, American Institute of Architects  
Bill Henry, Kansas Engineering Society  
Alan Conroy, Legislative Research Department  
Rep. Carolyn Weinhold, sponsor  
Dorothy Miller, Kansas Coalition Against Sexual & Domestic Violence  
Sandy Burnett, Crisis Center of Manhattan  
Laura Howard, Legislative Research Department

Others attending: See attached list

Chairman Chronister opened the hearings on **HB 2493**. Dave Debusman, Department of Administration-Division of Architectural Services testified in support of the bill. (See Attachment 1). He told the committee the legislation would make a cost restriction increase from \$100,000 to \$250,000 for in-house projects and would also allow the state to contract a firm to complete the required work. George Barbee, Kansas Consulting Engineers, opposed some sections of the bill and offered suggestions for its improvement. (See Attachment 2). Trudy Aron, American Institute of Architects likewise opposed its passage. (See Attachment 3). She opposed the bill, supported the testimony offered by Mr. Barbee, and strongly opposed section 2 in particular. Bill Henry, Kansas Engineering Society opposed section 2 as well. (See Attachment 4). <sup>missing attachment</sup>

Alan Conroy, Legislative Research Department, explained **SB 54**. Mr. Conroy said the bill established funds for the Federal Cash Management Improvement Act and took its funding from the State General Fund. This is a new requirement of the federal government. There were no other conferees for SB 54.

Rep. Carolyn Weinhold testified in support of **HB 2012**. (See Attachment 5). Rep. Weinhold said funds for the bill would go to the Corporation for Change for children's programs. She also offered technical cleanup amendments to the bill regarding children's domestic violence shelters. Dorothy Miller, Kansas Coalition Against Sexual & Domestic Violence, supported HB 2012. (See Attachments 6 & 7). Sandy Burnett, Crisis Center of Manhattan, supported the bill and offered some suggestions for its improvement. (See Attachment 8). Chairman Chronister closed the hearing for HB 2012.

Rep. Teagarden moved that the committee pass and favorably recommend SB 54. Rep. Pottorff seconded

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS, Room 514-S Statehouse, at 12:35 p.m. on March 01, 1993.

the motion and it carried.

Laura Howard, Legislative Research Department, briefed the committee on the proposed amendments for **HB 2188**. (See Attachment 9). Rep. Teagarden made a motion that the committee adopt the proposed amendments. His motion was seconded by Rep. Helgerson and carried. Rep. Helgerson moved that the committee pass and favorably recommend **HB 2188** as amended. Rep. Glasscock seconded the motion and it carried.

Chairman Chronister then asked Rep. Kline (Joint Committee on State Building Construction) to request the joint committee examine and offer Appropriations a recommendation for **HB 2493**. She then told the committee that the amendments to HB 2012 were being passed out to the members (See Attachment 10) as well as Jim McHenry's testimony to HB 2012. Chairman Chronister adjourned the meeting at 1:23 p.m.

(Attachment 11)

The next meeting is scheduled for March 02, 1993.

*Result of Div of Personnel Services study on Classification + Salary of Direct Care + Correctional Classes as Recommended by Budget Committee. Re: Proposal 16 of 1992 Interim (See Attachment 12)*

## GUEST LIST

COMMITTEE: HOUSE APPROPRIATIONS

DATE: MAR. 01, 1993

[illegible]

STATE OF KANSAS



DEPARTMENT OF ADMINISTRATION

Division of Architectural Services

JOAN FINNEY,  
Governor

J. DAVID DeBUSMAN,  
Director

625 Polk  
Topeka, Kansas 66603-3288  
(913) 233-9367  
(913) 233-9398 FAX

T E S T I M O N Y

TO: House Appropriations Committee

FROM: J. David DeBusman *David*  
Director of Architectural Services

RE: House Bill 2493  
Procurement of architects or engineers for emergency  
services and raising in-house engineering projects from  
\$100,000 to \$250,000

DATE: March 1, 1993

In the first part of the century, the State Architect's office was in the State Capitol Building and all State building projects were designed and drawn within that office. Times have changed, and with the increase in projects and decrease in proportion of staff, many projects have been commissioned to private architectural and engineering firms.

In-house projects are now restricted by State statute not to exceed \$100,000 for engineering projects and \$500,000 for architectural projects. The limit on architectural projects was raised from \$250,000 to \$500,000 two years ago.

This bill would make an increase from \$100,000 to \$250,000 for engineering projects to simply make up for inflation. Our engineering section does many of the asbestos abatement projects for State projects, of which can easily exceed \$100,000. We work closely with the State Department of Health & Environment on these projects. I am happy to report that the federal guidelines that we must follow on asbestos have lessened recently.

The engineers do numerous rehabilitation jobs such as rewiring, new plumbing, life safety projects, emergency lighting, fire alarm systems, emergency generator systems, radon studies and now lead removal.

ATTACHMENT 1

The second part of this bill would allow the Division to hire a consulting architectural or engineering firm in the event of an emergency. The Division would first have to review the situation and proposal before the Joint Committee on State Building Construction. An example of such a situation would be the hiring of a structural engineer to access the damage after the fire at Hoch Auditorium or storm damage to the Fair Grounds last spring.

Thank you for the opportunity to present this testimony on House Bill 2493.

Capital Improvement Construction Projects  
FY 93

Total Projects	261	
Construction Amount		\$117 million

Consulting Firms

Total Projects	30	
Construction Amount		\$ 99 million

Agency (primarily Regents)

Total Projects	51	
Construction Amount		\$ 5 million

On-Call

Total Projects	92	
Construction Amount		\$ 8 million

Architectural Services

Total Projects	88	
Construction Amount		\$ 5 million



January 5, 1993

Department of Administration  
DIVISION OF ARCHITECTURAL SERVICES

**DIRECTOR**

Dave DeBusman

**EXECUTIVE SECRETARY**

Karns

**ATTORNEY**

Carroll

**DEPUTY DIRECTOR**

Gary Grimes

**Planning and Project  
Management  
Group**

**DEPUTY DIRECTOR**

Kelly Conway

**Design and Construction  
Administration  
Group**

**DEPUTY DIRECTOR**

Dan Etzel

**Administration and Support  
Group**

**Architectural  
Section**

Smith  
Opplitz

**Engineering  
Section**

Steele  
CEIII

**Architectural  
Design  
Section**

Schilling  
Morgan  
Gallo  
Kelley  
Kerr  
Schultz  
Williams

**Engineering  
Design  
Section**

Linneman  
Masillonis  
Negus  
Lolley  
ME I

**Architectural  
Const. Admin.  
Section**

Powell  
Bokelman  
Hazen  
Lundberg  
Mundy  
Scott  
Shepherd  
Spence  
Whitehead

**Engineering  
Const. Admin.  
Section**

ME III  
Moore  
Moorhead  
Sinclair  
Worley

**COMPUTER  
OPERATIONS  
MANAGER**

Ryan

**Documents**

Morgan  
Jurgensen  
Weible

**Fiscal**

Osobeck

**Staff Support**

Howbert  
Hoover  
Knowles

5-3  
Note:  
An Architect III (Fast) is currently on interagency loan to the Attorney General's office.  
An FTE is on loan to Department of Administration Legal for FY 93.



GEORGE BARBEE, EXECUTIVE DIRECTOR  
JAYHAWK TOWER  
700 S.W. JACKSON ST., SUITE 702  
TOPEKA, KANSAS 66603-3740  
PHONE: (913) 357-1824  
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## STATEMENT

To: House Appropriations Committee

Re: House Bill 2493

Madam Chair and members of the committee, my name is George Barbree, Executive Director of the Kansas Consulting Engineers. This is an association of design firms that collectively employ approximately 6,000 people. They perform services for the private and public sector for projects that require civil engineering, structural engineering, electrical engineering and mechanical engineering in addition to architectural design.

It was difficult to decide if I should appear as a proponent or opponent of this bill because the bill has two different objectives. We favor one and oppose the other.

The first is new Section One which seeks to allow the Secretary of Administration to bypass the normal selection procedure to acquire architectural services and engineering services in an emergency situation. I suppose that would be because of a fire, flood, tornado, or other natural disasters. The division would be required to gain approval from the State Building Committee in order to proceed. We support that concept. It is important that damaged facilities be repaired or rebuilt as soon as possible if it is truly an emergency situation.

We are very much opposed to new Section Two. Current statutes do not allow for the Division of Architectural Services to perform engineering services in-house. The Kansas Legislature made it very clear in the 1970's that the Division of Architectural Services was to act as a coordinating agency for the design and construction of state buildings. Under the urging of then-Senator Gaar, this was not an inadvertent change, but a strong message by the legislature to stop competing with the private sector.

Even so, the department has managed to have the statute amended, after Senator Gaar's departure, to allow them to do architectural design in-house. But not engineering.

This bill would overturn past legislative intent and allow government competition on engineering projects of \$250,000 or less.

Mechanical and electrical engineering firms are typically small. Not all of them, but most of them employ three to ten people. They specialize in electrical and mechanical design for new construction and renovation or remodeling of buildings. \$250,000 is not a small project for these firms. \$100,000 is not a small project. Please think of a hypothetical project that is a \$100,000 renovation to upgrade an air conditioning system in one of our universities. The current statutes would cause the Division of

AFFILIATED WITH:

KANSAS ENGINEERING SOCIETY AMERICAN CONSULTING ENGINEERS COUNCIL PROFESSIONAL ENGINEERS IN PRIVATE PRACTICE NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

ATTACHMENT 2

**Statement to the House Appropriations Committee**  
**Page 2**

Architectural Services to publish a request for proposals in the Kansas Register. Qualified firms respond with letters of interest. The division, through requests for proposals, would rank the firms and after interviews, select the number one firm and then negotiate a fair and reasonable fee as set forth in the statutes. If the firm and the division cannot agree, then the division terminates negotiation and moves to the firm ranked second, and so on. The firm designs the project. It is then let for construction bids and construction commences.

Under this new Section Two, the division may elect to select a professor at the university and let the professor do it as a state employee, or, they can elect to do the design in-house. Either one of these methods bypasses the private sector.

This is a negative to economic development. Instead of producing jobs and producing taxes the state does it with in-house staff in a department that does not pay taxes.

We see and hear news that we are in an economic recovery. Well it has not hit Kansas in the area of building design. Competition is severe in the private sector and it would be a mistake to expand government competition.

In Section Three of the bill there is a proposed amendment to change \$100,000 to \$250,000. We can support this change if you delete new Section Two of this bill. This bill was passed in 1977 with the \$100,000 figure which does have a need to be increased because of inflation.

Thank you for the opportunity to express our views as we urge you to strike new Section Two and then report the bill favorably. I would be glad to stand for questions if there are any.

Thank you.



March 1, 1993



TO: Representative Rochelle Chronister and Members of the House  
Appropriations Committee

FROM: Trudy Aron

RE: Opposition to HB 2493.

1993 Executive Committee

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Trudy Aron, Hon. AIA  
*Executive Director*

Madam Chair and Members of the Appropriations Committee:

I am Trudy Aron, Executive Director of the American Institute of Architects.  
Thank you for allowing me to appear today in opposition to HB 2493.

We support the testimony of George Barbee. While we too, support Section 1 of  
the bill which deals with emergency services, we oppose Section 2.

Several years ago, we did not oppose a bill that increased the dollar amount of  
architectural services the Division or other state agencies could do in-house. At  
that time, we were assured by the Division that this would not take work away  
from the private sector. Since that time, many of our members believe that the  
change has taken work away from private architectural firms.

In several meetings we have had with the Division of Architectural Services on this  
and other matters, we have repeatedly been told that there has not been a loss of  
private sector work. We have asked for documentation to this claim and been told  
it would be forthcoming. To date, we have not received anything.

Therefore, we remain concerned over this issue and urge you to oppose Section 2  
of HB 2493.

# THE CORPORATION FOR CHANGE

## *A Partnership for Investing in The Future of Kansas Children and Families*

Testimony Before the House Appropriations Committee  
House Bill 2012  
March 1, 1993

by Rep. Carolyn Weinhold

I am here to testify as a member of the Children and Youth Advocacy Committee of The Corporation for Change. The Corporation for Change is a public private partnership for investing in the future of Kansas children and families. The overriding goal of the corporation is to coordinate and implement reform of children's services in Kansas. The Corporation also administers several coordinated projects. One of these projects is the former "Kansas Children and Family Trust Fund" now the Family and Child Trust Account of The Corporation for Change. HB 2012 provides for marriage license fee funds to be deposited into this trust account of The Corporation for Change for use in funding new programs for children in domestic violence shelters.

The Corporation operates under the framework of the five-year plan known as *The Blueprint for Investing in the Future of Children and Families*. HB 2012 is consistent with strategies outlined both in Target I and Target II of *The Blueprint*. Under Target I, Greater Support for Children and Families (page 37) *The Blueprint* calls for programs for children in domestic violence shelters. Under Target II, Invest in Young Children Aged 0-5 (page 43), *The Blueprint* recommends an increase in funds available to the Trust Fund.

Additionally, we suggest the following as technical, "clean-up" amendments:

Regarding the specific language of HB 2012, The Corporation Board of Directors interprets the wording on lines 20 and 21, page two, "for children in domestic violence shelters" to be broad enough to include the provision of programs to follow-through with such children after they leave the physical shelter. If this is not the Committee's intent when introducing the bill, then the language should be rewritten.

This same trust account also holds our federal child abuse and neglect prevention grant funds. At the request of the administrators of that federal program, the Board of Directors is also requesting the House Appropriations committee include clean-up language in the sections regarding the intended uses of the fund. All references to "prevention projects or educational programs for the problems of families and children will be stricken" in our request and substituted with clean references to "community-based programs for the broad range of child abuse and neglect prevention activities".

One final change we will request is the addition of a provision to allow the administrative costs of the trust account itself as well as the children and youth advocacy committee which oversees it for the Corporation to be paid out of the account.

I would be happy to answer any questions.

**EXECUTIVE DIRECTOR**  
Jolene M. Grabill

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Committee  
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Chair, Joint Committee  
on Children and Families  
Hesston  
Eva Tucker  
USD 500  
Kansas City, Kansas  
Sec. Donna Whiteman  
Dept. of Social &  
Rehab. Services  
Topeka

House Appropriations Committee  
Testimony of Dorthy Miller, Pres., KCSDV

March 1, 1993

### Committee Members:

On behalf of the Kansas Coalition, the Attorney General's Victims Rights Task Force, and Safehouse, I want to thank you for considering the need to provide funding for children's programs in domestic violence shelters, and strongly urge you to pursue passage of this legislation for the following reasons:

1. Children who enter shelter need assistance. Studies indicate that 70% of children who enter domestic violence shelters are victims of abuse or neglect themselves (see attachment). Like their mother, they have lived in a controlled and isolated environment, and often their most basic needs have not been met. Advocacy is needed so immunization shots, infections, and other health problems can be addressed. Advocacy and much support is also needed in reference to the abuse issues. Many children first disclose after being given the safety of shelter. Child advocates can play an essential role in detecting the abuse, as well as assisting the child and mother in this very difficult judicial process. Perhaps most importantly, child advocates can allow sheltered children the opportunity to discuss their feelings about their family life and their personal experiences. The overall goal of these children's programs is to stop the intergenerational cycle of abuse.

2. Funding for Children's Programs in shelters is grossly inadequate. Currently, one out of five domestic violence shelters in Kansas have no Children's Program at all. Some that had such programs in the past have been forced to dissolve them due to lack of funding. 40% have been forced to have the Child Advocate position be part-time. Only 40% have that position as a full-time position, yet most shelters provide shelter for more children than women in any given year.

3. Providing direct services to children in shelters is one of the most efficient and effective ways to access a large group of at-risk youth at the optimal time for having a positive impact on the family and the youth. At the time of shelter, these families recognize the need for change. They are searching for a better life. Many of these children have problems that have never been addressed; the study cited earlier illustrates that although 70% of these children have been victims of abuse or neglect, in only 20% of these cases had a report been filed prior to their going into the shelter. Children's programs in shelters can be the bridgebuilders for these children; bridging the gap between them and much needed medical, welfare, and other community services. Thank you, again, for your consideration of this need.

## EFFECTS OF DOMESTIC VIOLENCE ON CHILDREN

\* "The March of Dimes reports that more babies are now born with birth defects as a result of the mother being battered during pregnancy than from the combination of all diseases and illnesses for which we now immunize pregnant women - and battered women are twice as likely to miscarry their baby as non-battered women."

March of Dimes

\* Children in homes where domestic violence occurs are physically abused or seriously neglected at a rate 1500% higher than the national average in the general population.

\* 63% of youthful offenders who commit murder do so to kill the abusers of their mothers. (Statistics cited in 1990 hearing before the U.S. Senate Judiciary Committee.)

\* A major study of more than 900 children at battered women's shelters found that nearly 70% of the children were themselves victims of physical abuse or neglect. Nearly half of the children had been physically or sexually abused. Five percent had been hospitalized due to the abuse. However, only 20% had been identified and served by Child Protective Services prior to coming to the shelter. The same study found that the male batterer most often abused the children.

\* Older children may be hurt while trying to protect their mother.

\* Children from violent homes have higher risks of alcohol/drug abuse and juvenile delinquency.

\* Children are present in 41-55% of homes where police intervene in domestic violence calls.

\* Children in homes where domestic violence occurs may experience cognitive or language problems, developmental delay, stress-related physical ailments, and hearing and speech problems.

\* Research results suggest that battering is the single most common factor among mothers of abused children.

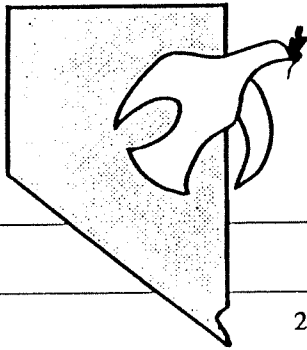
\* Regardless of whether children are physically abused, the emotional effects of witnessing domestic violence are very similar to the psychological trauma associated with being a victim of child abuse. Each year, an estimated minimum of 3.3 million children witness domestic violence.

\* Parents who were abused as children are approximately six times more likely to abuse their own children. (Kaufman & Zigler, 1987)

\* Some evidence indicates that abused children reverse roles with the abusive parent who becomes vulnerable with age, and is thereby linked with elder abuse. (Pollick, 1987)

Compiled by Dorothy Miller, President  
Kansas Coalition Against Sexual and Domestic Violence





# NETWORK NEWS

Nevada Network Against Domestic Violence

2100 Capurro Way, Suite 21-1 Sparks, Nevada 89431 (702) 358-1171

Winter 93

## Children of Domestic Violence: Risks and Remedies

By Barbara J. Hart, Esq., Staff Counsel, PCADV, 1992

This paper will examine two issues - the risk to children posed by domestic violence and strategies for intervention to protect children from violent homes and their battered parents. It is imperative that the legal, medical and child abuse prevention communities join together to identify children at risk and to employ strategies that will both protect and heal the innocent victims of domestic violence, especially those most powerless, the children from violent homes.

### Risks posed to children from violent home.

**1. Child abuse.** Men who batter their wives are likely to assault their children. The battering of women who are mothers usually predates the infliction of child abuse (Stark & Flitcraft, 1988). At least half of all battering husbands also

batter their children (Pagelow, 1989).

The more severe the abuse of the mother, the worse the child abuse (Bowker, Arbitell, and McFerron, 1988). Abuse of children by a batterer is more likely when the marriage is dissolving, the couple has separated, and the husband/father is highly committed to continued dominance

and control of the mother and children (Bowker,



Arbitell, and McFerron, 1988). Since women and child abuse by husbands and fathers is instrumental, directed at subjugating, controlling, and isolating, when a woman has separated from her batterer and is seeking to establish autonomy and independence from him, his struggle to control and dominate her may increase and he may turn to abuse and subjugation of the child as a tactic of dominance and control of their mother (Stark and Flitcraft, 1988; Bowker, Arbitell and McFerron, 1988).

Older children are frequently assaulted when they intervene to defend or protect their mothers (Hilberman and Munson, 1977-78). Daughters are more likely than sons to become victims of the

battering husband (Dobash and Dobash, 1979). Woman abuse is also the context for sexual abuse of female children. Where the mother is assaulted by the father, daughters are exposed to a risk of sexual abuse 6.51 times greater than girls in non-abusive families (Bowker, Arbitell, and McFerron, 1988). Where a male is the perpetrator of child abuse, one study demonstrated that there is a 70 percent chance that any injury to the child will be severe and 80 percent of child fatalities within the family are attributable to fathers or their surrogates (Bergman, Larsen, and Mueller, 1986). Data gleaned by PCADV from newspaper clippings in 1990 reveal that every three days a woman or child is killed in the Commonwealth by a batterer/father (Yupcavage, 1991).

Mothers who are battered are more likely to physically abuse their children than are non-battered women (Walker, 1984; Roy, 1977; Gayford, 1975).

**2. Child abduction.** Battering men use custodial access to the children as a tool to terrorize battered women or to retaliate for separation. Custodial interference is one of the few battering tactics available to an abuser after separation; thus, it is not surprising that it is used extensively.

Each year more than 350,000 children are abducted by parents in this country; that is, 40.4 children are abducted per hour. Fifty four percent of these abductions are short-term manipulations around custody orders, but 46 percent involve concealing the whereabouts of the child or taking the child out of state. Most of these abductions are perpetrated by fathers or their agents. Fully 41 percent occur between the separation of the parents and the divorce. Yet another 41 percent happen after the parents are separated or divorced for more than two years. Three of ten of the abducted children will suffer mild to severe mental harm as a result

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# Children of Domestic Violence: Ri

Continued from page 1

of the abductions (Finkelhor, Hotaling, and Sedlak, 1990). More than half of these abductions occur in the context of domestic violence (Greif and Heger, 1992).

**3. Observation of violence against mothers.** The majority of the children from violent homes observe the violence inflicted by their fathers upon their mothers; most research suggests as many as 90 percent of children from violent homes witness their fathers battering their mothers (Pagelow, 1990; Walker, 1984). One study demonstrated that some fathers deliberately arrange for the children to witness the violence (Dobash and Dobash, 1979), and other empirical work suggests that the violence occurs only when the children are present (Wallerstein and Kelly, 1980). Children witnessing the violence inflicted on their mothers evidence behavioral, somatic, or emotional problems similar to those experienced



by physically abused children (Jaffe, Wolfe, and Wilson, 1990). Psychosomatic illness is prominent. Boys become aggressive, fighting with siblings and schoolmates and having temper tantrums. Girls are more likely to become passive, clinging, and withdrawn (Hiberman and Munson, 1977-78). Male children who witness the abuse of mothers by fathers are more likely to become men who batter in adulthood than those male children from homes free of violence (Rosenbaum and O'Leary, 1981).

Research has only begun to examine the relative effects on children of witnessing parental violence as contrasted to being a victim of child abuse. It appears that children who are both witnesses of their fathers' violence toward their mothers and victims of child abuse experience the most profound adverse effects. But the children who observe the violence perpetrated on their mothers manifest similar behavioral and emotional sequelae (Hughes et al., 1985). In comparing children not exposed to violence as contrasted to children who witness violence and children who both witness and are abused, data suggest that the latter two groups are most comparable and have heightened behavioral and emotional distress as compared to the former (Hughes et al., 1989).

**4. Separation violence.** Many professionals believe that the most effective thing that a battered mother can do to protect her children is to leave the battering husband. As a culture, we believe that if women leave, they will be safe, as will their children. Leaving alone does not protect battered women and children. Safety is only assured by strong legal and community protections.

Research confirms that battering men often escalate violence

to re-capture battered women and children who have sought safety in separation. Battered women seek medical attention for injuries sustained as a consequence of domestic violence significantly more often after separation (Stark and Flitcraft, 1988). One investigation demonstrated that about 75 percent of the calls to law enforcement for intervention and assistance in domestic violence occur after separation from batterers (Langen & Innes, 1986). Another study revealed that half of the homicides of female spouses and partners were committed by men after separation or divorce (Barnard, et al., 1982). A study in Philadelphia showed that one quarter of the women killed by their partners were killed after separation and a significant number were killed while trying to separate from the assailant (Casanave & Zahn, 1986).

The risk to children in the context of domestic violence is substantial. Yet, the risk is virtually invisible. For example, the most recent edition of the journal of the Family Law Section of the American Bar Association, which contains an annual survey of family case law across the country, is silent about the risk that domestic violence poses to children. The editors chose not to include the cases and commentary which address this issue. Similarly medical publications, while identifying the danger of domestic violence to women, have not squarely addressed the nexus between domestic violence and child maltreatment. While the impact of domestic violence on women has "come out of the closet" over the course of the last fifteen years, the impact and risk of domestic violence for children remains a closely held secret.

## Strategies to protect children from violent homes.

Having identified the jeopardy to which children may be exposed in the context of domestic violence, it is imperative that professionals identify strategies to safeguard against these risks.

**1. Risk identification and safety planning.** A critical strategy for child protection is protocol development by the medical, legal and social service communities to help women recognize that they may be battered and that their children may be at risk for abuse. Once battered women have identified that abuse inflicted on them and the risk for child abuse, they can then design strategic plans to avert violence whether they elect to remain in residence with the batterer or separate from him. To accomplish this, professionals, including lawyers, doctors and social workers, must consistently identify domestic violence and talk about safety planning with battered women clients/patients. Informed battered women who are engaged with professionals in evaluating strategies to safeguard themselves and their children will best be able to make decisions that protect their children.

In fact, there is strong evidence that battered women's efforts to utilize community resources to end the violence are greater when child abuse is present, demonstrating that battered women may be most motivated to change their circumstances when they conclude that it is critical to protect their children from the risks of abuse (Bowker, 1988). Research further reveals that child abuse, whether by fathers or mothers, is likely to diminish once the battered mother has been able to access safety services and achieve separation from the violent father (Giles-Sims, 1985; Walker, 1984).

**2. Supervised visitation centers.** The second strategy is a very practical and feasible solution - supervised visitation centers.

# Risks and Remedies

Much of separation violence is an attempt to coerce reconciliation. Since battering husbands/fathers have limited access to battered wives to attempt to compel reconciliation, they often choose the visitation arena as a place in which to attempt coerced reconciliation or to penalize the battered partner for refusal to reconcile. As a consequence, visitation must be a very protected circumstance both for the children from violent homes and battered women.

The Domestic Abuse Intervention Project of Duluth, Minnesota began a supervised visitation center project several years ago. The facility offers supervised exchange, on-site visits and monitored visits, as well as education and counseling for fathers on parenting and the impact of domestic violence on children. Services and education are accommodated in a spacious and attractive, but secure, environment. Participants in the program are referred by the courts or child protective services. The center is open twice a week, one weekend day and one day and evening during the week. The program safeguards battered women and children from violence and child abduction, while providing fathers access to their children in an environment where they can begin to learn and practice appropriate parenting.

**3. Safety planning for unsupervised visits.** Planning for unsupervised visits can help children not only manage fear and anxiety, but can also enable them to develop safety skills and realistic safety plans to minimize the risk of violence during visitation. The process of safety planning further allows children of battered women to understand and manage the multitude of conflicting feelings they may be experiencing associated with visiting their fathers. It is critical that professionals help children identify safety issues and build problem-solving, safety skills. Safety planning for unsupervised visits may be initiated by professionals but should always be undertaken in consultation with the non-abusive parent.

Any safety plan must be realistic. The plan should be simple. It must be age-appropriate. The child must be competent to undertake the strategies designed. Perhaps only children above 8 years of age can be active participants in safety strategies.

## Conclusion.

Too often professionals do not identify domestic violence in

the lives of female clients and are uncertain about remedial strategies even if abuse is identified. (Hansen & Harway, 1992). Other professionals seek to penalize and blame battered women for failing to protect their children (Erickson, 1991). The inadequacy of professional endeavors endangers and isolates mothers and often interrupts the potential for strong alliance between mothers and children in the pursuit of safety. Professionals initiatives to empower women so that they can seek lives free of violence and achieve the legal authority to protect their children and themselves from recurrent violence are preferred. Early intervention by professionals can avert the risks posed to children and their mothers in the context of domestic violence and can assist women in establishing stable and secure households independent of battering men. Prevention efforts may offer children the best hope for violence-free and loving families.

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This article has been adapted & reprinted with permission from Barbara J. Hart, Esq. - Staff Counsel to the Pennsylvania Coalition Against Domestic Violence.

## Resources Available from the Pennsylvania Coalition Against Domestic Violence

*Children of The Lie*. This video, sponsored by the Pennsylvania Bar Association and its auxiliary and produced by PCADV is an excellent tool for professional and community education.

*Scenes From a Shelter*. This video utilizes the medium of puppets to help children understand their experience and learn ways of non-violent, cooperative family relationships.

For information on either video, contact Sabina Mitnaul, PCADV, 1-800-932-4632, 2505 N. Front Street, Harrisburg, PA 17111.

*Safety Planning for Children*. This article is available from PCADV for \$2.50. Contact Chris Link at 524 McKnight Street, Reading, PA 19601 to obtain this document and information about training opportunities.



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612-1597

ROBERT T. STEPHAN  
ATTORNEY GENERAL

MAIN PHONE: (913) 296-2215  
CONSUMER PROTECTION: 296-3751  
TELECOPIER: 296-6296

March 1, 1993

Representative Rochelle Chronister, Chairperson  
House Appropriations Committee  
514-S, State Capitol  
Topeka, KS 66612

RE: Support for House Bill 2012

Dear Chairperson Chronister and Members of the Committee:

I am writing to express my support and the support of my Victims' Rights Task Force for House Bill 2012. We highly endorse the funding of programs specifically designed to meet needs of children in domestic violence shelters. By passing this legislation you would be earmarking the 20 percent monies from the marriage license fees that currently accrues to the State General Fund and instead allocate it for this grant program.

The projected \$173,000 would fill a much needed area for domestic violence shelters. It would not be a great amount of money if all the shelters apply, but the money would certainly be a start in helping these children.

I thank you for your attention to this matter and ask for your support of House Bill 2012.

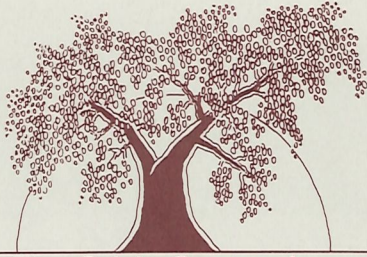
Sincerely,

A handwritten signature in cursive script, reading "Robert T. Stephan", is positioned above the typed name.

Robert T. Stephan  
Attorney General

ATTACHMENT 7





*The Crisis Center, Inc.*

P.O. Box 1526  
Manhattan, Ks. 66502  
539-2785

Testimony to: Kansas House Appropriations Committee  
regarding House Bill 2012; an Act concerning  
disposition of revenues from marriage license fees.  
Presented by: Sandra C. Barnett, Executive Director, The  
Crisis Center, Inc., Manhattan, KS.

The Crisis Center has consistently housed almost twice as many children as women over the past 12 years, as do other domestic violence shelters. In the past decade we have seen well over 1500 children.

Each of those children carry the scars of being victimized, either by direct abusive assaults or as witnesses to their mothers' batteries. In fact, women report to us that the primary factor in their decision to seek safe shelter is that the direction of abuse changed to include their children.

Research also indicates that amongst battered women, shelter residents and their children may experience more severe and frequent abuse and have fewer financial resources than their non-sheltered counterparts (Gondolf pg. 54).

Most of those children are in crisis at the time of sheltering and exhibit behaviors consistent with;

- \* Hyper-arousal
- \* Loss of security and self-esteem
- \* Confusion of love and violence
- \* Depression
- \* Aggression
- \* Regression to more infantile behavior

The immediate impact of violence on children is well documented. The research on long-term impact is less empirical, but still convincing. School social workers tell me children from abusive environments have long-term academic and social adjustment problems, are prone to involvement with the criminal justice system, and early parenting. The inter-generational recurrence of violence in families has been a numerical statistic until recently when our shelter has housed the daughters of former residents. Sometimes we house women who's mothers come into shelter later.



*A United Way Agency*

*Funding in part provided by the city of Manhattan*

ATTACHMENT 8

It has been long understood that breaking the inter-generational cycle of abuse is a key to solving the problem of family violence. In order to do that we must address the problem with children by providing intervention, education and prevention. Shelters are an ideal place to start.

However, currently most shelters operate on strained budgets with demand for services far exceeding their fiscal resources. The Crisis Center, like other shelters, have had child specialist workers through The Family and Children's Trust Fund monies, but we have been unable to absorb the cost of those programs beyond the seed grants. Without sustained funding for childrens programs it is unlikely that shelters will be able to provide consistent programming for children.

On behalf of our program and many like it across this state we urge you to favorably pass House Bill 2012 out of this committee with only one change. That section 1.(G) be designated for development and sustained funding of programs for children in domestic violence shelters.

Respectfully Submitted,  
Sandra C. Barnett

Gondolf, Edward G., and Fisher, Ellen. Battered Women As Survivors. Lexington Books, Lexington, Massachusetts. 1988.



## HOUSE BILL No. 2188

By Representatives Allen, Goossen, Helgerson and Wagnon

2-2

AN ACT establishing the KanLearn program; providing for administration thereof by the secretary of social and rehabilitation services; establishing eligibility standards for participation in such program and providing for certain payments and assistance thereunder; authorizing the adoption of rules and regulations relating thereto.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. (a) This act shall be known and may be cited as the KanLearn act.

(b) An individual who is a recipient of ~~assistance known as aid to dependent children~~ under subsection (b) of K.S.A. 39-709 and amendments thereto may participate in the KanLearn program under this act if all of the following apply:

- (1) The individual is 13 to 19 years of age;
- (2) the individual has not graduated from a high school or obtained a declaration of equivalency of high school graduation;
- (3) the individual is not exempted from attending school under state law;
- (4) the individual is a parent or is residing with such individual's natural or adoptive parent;
- (5) if the individual is the caretaker of a child, the child is at least 90 days old;
- (6) if child care services are necessary in order for the individual to attend school, licensed or registered child care services under the provisions of article 5 of chapter 65 of the Kansas Statutes Annotated and amendments thereto are available for the child and transportation to and from child care is also available;
- (7) the individual is not prohibited from attending school while a suspension or an expulsion under K.S.A. 72-8901 *et seq.* and amendments thereto is pending;
- (8) if the individual was expelled from a school under K.S.A. 72-8901 *et seq.* and amendments thereto, there is another school available which the individual can attend; and
- (9) if the individual is 16 to 19 years of age, the school district does not determine that the individual will fail to graduate from

cash

delete

, foster parent or  
legal guardian

1 high school before reaching age 20.

2 (c) (1) An individual who fails to meet the requirements under  
3 subsection (b) shall not be eligible to participate in the KanLearn  
4 program established under this act.

5 (2) Within the limits of appropriations therefor and subject to  
6 guidelines established by the secretary of social and rehabilitation  
7 services by rules and regulations: (A) The secretary in cooperation  
8 with the school district may provide mentoring and tutoring services  
9 and transportation to and from school to individuals who are par-  
10 ticipants in the KanLearn program when it is determined that such  
11 services are necessary for the individual to attend high school with  
12 a reasonable expectation of graduation; and (B) the secretary may  
13 provide one or more special financial assistance payments to an  
14 individual who is a participant in the KanLearn program when it is  
15 determined that such payments are necessary to make it possible  
16 for the individual to continue attending school when specific needs  
17 or circumstances of the individual would otherwise cause the indi-  
18 vidual to discontinue attending school on a temporary or permanent  
19 basis.

20 (3) Within the limits of appropriations therefor, upon completion  
21 of two semesters, or the equivalent, each year of school and en-  
22 rollment to attend the ensuing semester of school, an individual who  
23 is a participant in the KanLearn program shall be eligible to receive  
24 an incentive payment in an amount fixed by rules and regulations  
25 of not less than \$100, except that an individual shall not be eligible  
26 to receive the incentive payment under this subsection (c)(3) if that  
27 individual is eligible to receive the additional incentive payment  
28 under subsection (c)(4).

29 (4) Within the limits of appropriations therefor, upon graduation  
30 from high school and receipt of a high school diploma, an individual  
31 who is a participant in the KanLearn program shall be eligible to  
32 receive an additional incentive payment in an amount fixed by the  
33 secretary of social and rehabilitation services by rules and regulations  
34 of not less than \$250.

35 (5) An individual who is a participant in the KanLearn program  
36 shall be exempt from work projects, community work and training  
37 programs, job requirements under the KanWork program and other  
38 work requirements for eligibility for receipt of public assistance. The  
39 secretary shall provide for periodic monitoring and evaluation of the  
40 progress in school of an individual who is a participant in the  
41 KanLearn program.

42 (d) In accordance with the provisions of this section, the secretary  
43 of social and rehabilitation services shall adopt rules and regulations



1 which establish KanLearn program requirements as a condition to  
2 participation therein and which fix incentive payment amounts for  
3 the KanLearn program. The rules and regulations shall specify how  
4 the department of social and rehabilitation services determines that  
5 a KanLearn participant has attended school for the requisite periods  
6 to be eligible for incentive payments.

7 (e) Within the limits of appropriations therefor, if the KanLearn  
8 participant demonstrates the need to purchase child care services in  
9 order to attend school and these services are available, child care  
10 services shall be provided to each such participant in the KanLearn  
11 program through reimbursement of private child care providers or  
12 through state child care centers. Reimbursement to private child  
13 care providers shall not exceed the fee charged to private clients for  
14 the same service and may be lower than such fee if the private child  
15 care provider agrees to charge a lower fee.

16 (f) If the secretary of social and rehabilitation services obtains the  
17 waivers to federal program requirements under subsection (h), the  
18 secretary shall implement the KanLearn program beginning with the  
19 fall 1993 school term of the fall school term after such waivers have  
20 been obtained.

21 (g) During the fiscal year ending June 30, 1994, the provisions  
22 of this act shall be implemented as a pilot program in three counties  
23 or areas of this state which are also counties or areas of this state  
24 in which the program established under the KanWork act has been  
25 implemented. The secretary of social and rehabilitation services shall  
26 designate the counties or areas of this state in which the KanLearn  
27 pilot programs will be implemented. After June 30, 1994, the  
28 KanLearn program may be implemented in additional counties or  
29 areas of this state only upon specific authorization of such expansion  
30 by appropriation or other act of the legislature.

31 (h) The secretary of social and rehabilitation services shall seek  
32 waivers from program requirements of the federal government as  
33 may be needed to carry out the provisions of the KanLearn act and  
34 to maximize federal matching and other funds with respect to the  
35 KanLearn program established under such act. The secretary of social  
36 and rehabilitation services shall implement the KanLearn program  
37 under this act only if such waivers to federal program requirements  
38 have been obtained from the federal government.

39 (i) The provisions of this section shall expire on July 1, 1996.

40 Sec. 2. This act shall take effect and be in force from and after  
41 its publication in the statute book.

3-1-93

Session of 1993

HOUSE BILL No. 2012

By Joint Committee on Children and Families

1-11

8 AN ACT concerning disposition of revenues from marriage license  
9 fees; amending K.S.A. 1992 Supp. 23-108a and 38-1808 and re-  
10 pealing the existing sections.  
11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 1992 Supp. 23-108a is hereby amended to read  
14 as follows: 23-108a. (a) The judge or clerk of the district court shall  
15 collect from the applicant for a marriage license a fee of \$40.

16 (b) The clerk of the court shall remit to the state treasurer at  
17 least monthly all fees prescribed by this section. Of each remittance,  
18 the state treasurer shall credit 57.5% to the protection from abuse  
19 fund; ~~22.4% and the remainder~~ to the family and children trust  
20 account of the family and children investment fund created by K.S.A.  
21 1992 Supp. 38-1808 and the remainder to the state general fund  
22 *amendments thereto.*

23 Sec. ~~2~~ <sup>3</sup> K.S.A. 1992 Supp. 38-1808 is hereby amended to read  
24 as follows: 38-1808. (a) There is hereby established in the state  
25 treasury the family and children investment fund, to be administered  
26 by the board of directors of the corporation for change.

27 (b) (1) Moneys in the family and children investment fund shall  
28 be expended for: (A) Furthering the purposes of the corporation for  
29 change; (B) review and evaluation of progress in implementing the  
30 blueprint for investment in Kansas children and their families of  
31 1991 special committee on children's initiatives; (C) purposes which  
32 further implementation of a comprehensive, coordinated strategy for  
33 investment in Kansas children and their families; and (D) such other  
34 purposes as provided by law.

35 (2) There shall be credited to such fund appropriations, gifts,  
36 grants, contributions, matching funds and participant payments.

37 (3) All expenditures from the fund shall be made in accordance  
38 with appropriation acts upon warrants of the director of accounts and  
39 reports issued pursuant to vouchers approved by the chairperson of  
40 the board of directors of the corporation for change or a person  
41 designated by the chairperson.

42 (c) (1) There is hereby created the family and children trust ac-  
43 count in the family and children investment fund.

the corporation for change act; crediting certain

to the family and children trust account of the family and children  
investment fund; providing for certain deferred compensation plan  
participation for employees of corporation for change; disposition of  
certain moneys in the family and children trust account; amending K.S.A.  
74-4911f and K.S.A. 1992 Supp. 23-108a, 38-1807

Sec. 2. K.S.A. 1992 Supp. 38-1807 is hereby amended to read as  
follows: 38-1807. (a) All employees of the corporation for change shall be  
considered to be state employees and the corporation for change shall be  
considered to be a state agency for purposes of the laws and procedures  
governing the payroll accounting system for state agencies under K.S.A.  
75-5501 et seq. and amendments thereto; participation in the Kansas public  
employees deferred compensation plan developed and approved for state  
employees under K.S.A. 75-5521 through 75-5529, and amendments thereto,  
pursuant to K.S.A. 74-4911f and amendments thereto; the employment security  
law; the workers compensation act, including the state workmen's  
compensation self-insurance fund as provided in K.S.A. 44-575 through  
44-580, and amendments thereto; the state health care benefits program and  
remittances pursuant to the federal social security act; federal insurance  
compensation act; and the federal internal revenue code. Employees of the  
corporation for change shall be considered to be state employees and the  
corporation for change shall be considered to be a state agency only for  
the purposes specified in this subsection.

(b) The provisions of article 32 of chapter 75 of the Kansas Statutes  
Annotated, any acts amendatory thereof or supplemental thereto, and any  
rules and regulations adopted thereunder, shall not apply to officers or  
employees of the corporation for change. Subject to policies established  
by the corporation for change, the chairperson of the board of directors or  
the chairperson's designee shall approve all travel and travel expenses of  
such officers and employees.

(c) Nothing in this act or the act of which it is amendatory shall be  
construed as placing any officer or employee of the corporation for change  
in the classified service or unclassified service under the Kansas civil  
service act.

ATTACHMENT 10

1 (2) Moneys credited to the family and children trust account shall  
2 be used for the following purposes: (A) Matching federal moneys to  
3 purchase services relating to community-based programs for the pre-  
4 ventation of problems of families and children; (B) providing start-up  
5 or expansion grants for community-based prevention projects for ed-  
6 ucational programs for the problems of families and children, pri-  
7 marily but not limited to, child abuse and neglect and family abuse;  
8 (C) studying and evaluating community-based prevention projects  
9 and educational programs for the problems of families and children;  
10 (D) preparing, publishing, purchasing and disseminating educational  
11 material dealing with the problems of families and children; (E)  
12 payment of the salary and actual and necessary travel expenses of  
13 the coordinator employed by the corporation for change for the  
14 children and youth advocacy committee; and (F) payment of ad-  
15 ministrative costs of the children and youth advocacy committee,  
16 including amounts provided by subsection (c) of K.S.A. 1992 Supp.  
17 38-1805 and amendments thereto; and (G) not less than 47% of the  
18 amount credited to the account pursuant to K.S.A. 1992 Supp. 23-  
19 108a and amendments thereto during the fiscal year shall be used  
20 for grants for development of programs for children in domestic  
21 violence shelters. [For the purpose of this subsection, "educational  
22 programs" shall include instructional and demonstration programs  
23 whose main purpose is to disseminate information and techniques  
24 or to provide services for the prevention of problems of families and  
25 children.] No moneys in the family and children trust account shall  
26 be used for the purpose of providing services for the voluntary  
27 termination of pregnancy.

28 (3) The children and youth advocacy committee of the corporation  
29 for change shall advise the board of directors in detail on the ex-  
30 penditures of moneys in the family and children trust account.

31 (d) (1) There is hereby created the permanent families account  
32 in the family and children investment fund.

33 (2) Moneys credited to the permanent families account shall be  
34 used for the following purposes: (A) Not more than 12% of the  
35 amount credited to the account during the fiscal year may be used  
36 to provide technical assistance to district courts or local groups want-  
37 ing to establish a local citizen review board or a court-appointed  
38 special advocate program, including but not limited to such staff as  
39 necessary to provide such assistance, and to provide services nec-  
40 essary for the administration of such board or program, including  
41 but not limited to grants administration, accounting, data collection,  
42 report writing and training of local citizen review board staff; (B)  
43 grants to court-appointed special advocate programs, upon application

the broad range of child abuse and neglect prevention activities

of the family and children trust account and

10-2

1 approved by the administrative judge of the judicial district where  
 2 the program is located; and (C) grants to district courts, upon ap-  
 3 plication of the administrative judge of the judicial district, for ex-  
 4 penses of establishment, operation and evaluation of local citizen  
 5 review boards in the judicial district, including costs of: (i) Employing  
 6 local citizen review board coordinators and clerical staff; (ii) tele-  
 7 phone, photocopying and office equipment and supplies for which  
 8 there are shown to be no local funds available; (iii) mileage of staff  
 9 and board members; and (iv) training staff and board members.

10 (e) On the 10th of each month, the director of accounts and  
 11 reports shall transfer from the state general fund to the family and  
 12 children investment fund, the amount of money certified by the  
 13 pooled money investment board in accordance with this subsection.  
 14 Prior to the 10th of each month, the pooled money investment board  
 15 shall certify to the director of accounts and reports the amount of  
 16 money equal to the proportionate amount of all the interest credited  
 17 to the state general fund for the preceding period of time specified  
 18 under this subsection, pursuant to K.S.A. 75-4210a and amendments  
 19 thereto that is attributable to money in the family and children  
 20 investment fund. Such amount of money shall be determined by the  
 21 pooled money investment board based on:

22 (1) The average daily balance of moneys in the family and chil-  
 23 dren investment fund during the period of time specified under this  
 24 subsection as certified to the board by the director of accounts and  
 25 reports; and

26 (2) the average interest rate on repurchase agreements of less  
 27 than 30 days duration entered into by the pooled money investment  
 28 board for that period of time. On or before the fifth day of the  
 29 month for the preceding month, the director of accounts and reports  
 30 shall certify to the pooled money investment board the average daily  
 31 balance of moneys in the family and children investment fund for  
 32 the period of time specified under this subsection.

33 Sec. 3: K.S.A. 1992 Supp. 23-108a and 38-1808 are hereby  
 34 repealed.

35 Sec. 4: This act shall take effect and be in force from and after  
 36 its publication in the statute book.

Sec. 4. K.S.A. 74-4911f is hereby amended to read as follows:  
 74-4911f. (a) Subject to procedures or limitations prescribed by the  
 governor, any state officer may elect to not become a member of the system.

(b) (1) Any such state officer described in subsection (a) who is a  
 member of the Kansas public employees retirement system, on or after the  
 effective date of this act, may elect to not be a member by filing an  
 election with the office of the retirement system. Each state officer  
 filing such election may withdraw the state officer's accumulated  
 contributions then on deposit with the system in the same manner as  
 prescribed in K.S.A. 74-4917 and amendments thereto for employees upon  
 termination.

(2) Any state officer who has filed an election and received a refund  
 of contributions shall be entitled to again become a member of the system  
 upon the filing of proper notice in such form as prescribed by the system  
 and upon the making of a single lump-sum payment in an amount equal to all  
 withdrawn contributions, plus interest at a rate specified by the system.

(c) Subject to limitations prescribed by the secretary of  
 administration, the state agency employing any employee who has filed an  
 election as provided under subsection (a) or (b) and who has entered into  
 an employee participation agreement, as provided in K.S.A. 75-5524 and  
 amendments thereto for deferred compensation pursuant to the Kansas public  
 employees deferred compensation plan shall contribute to such plan on such  
 employee's behalf an amount equal to 8% of the employee's salary, as such  
 salary has been approved pursuant to K.S.A. 75-2935b and amendments thereto  
 or as otherwise prescribed by law.

(d) As used in this section and section--2 K.S.A. 74-4927k and  
amendments thereto, "state officer" means the secretary of administration,  
secretary on aging, secretary of commerce, secretary of corrections,  
secretary of health and environment, secretary of human resources,  
secretary of revenue, secretary of social and rehabilitation services,  
secretary of transportation, secretary of wildlife and parks,  
superintendent of the Kansas highway patrol, state grain inspector,  
executive director of the Kansas lottery, executive director of the Kansas  
racing commission, president of the Kansas development finance authority,  
state fire marshal, state librarian, securities commissioner, adjutant  
general, members of the state board of tax appeals, members of the Kansas  
parole board, members of the state corporation commission, any unclassified  
employee on the staff of officers of both houses of the legislature and any  
unclassified employee appointed to the governor's staff, and employees of  
the corporation for change.

(e) The provisions of this section shall not apply to any state  
 officer who has elected to remain eligible for assistance by the state  
 board of regents as provided in subsection (a) of K.S.A. 74-4925 and  
 amendments thereto.

, 38-1807

K.S.A. 74-4911f



March 1, 1993

TESTIMONY BEFORE THE HOUSE  
APPROPRIATIONS COMMITTEE  
HOUSE BILL 2012

by: James McHenry, Ph.D.  
Associate Executive Director



Kansas Children's Service League is a statewide not for profit agency serving the needs of children and families. We provide a broad array of services aimed at supporting and strengthening families in response to the needs of a given community.

The League has a proud tradition of supporting families and is celebrating 100 years of service and support to Kansas children and families in 1993. As an organization we understand when working with and for this population, we cannot afford to have a "business as usual perspective." Our organization has consistently been a player in responding to the needs of children by strengthening and diversifying our services, in addition to being a strong voice for children. To that end, in January we announced our merger with the Kansas Child Abuse Prevention Council.

The Kansas Children's Service League was pleased when the Blueprint for Children included the following recommendation: "By FY 1998, require all domestic violence shelters and programs receiving state funding to develop a program component directed toward children of victims of domestic abuse. Provide funding for the purpose of providing incentives to development and ongoing support."

KCSL noted with appreciation that the Joint Committee on Children and Families followed up on this recommendation by proposing through HB 2012 "that the 20 percent of marriage license fees that currently accrues to the State General Fund(SGF) be earmarked instead for a grant program to conduct programs specifically designed to meet needs of children in domestic violence shelters and that such a program be designed to maximize use of any federal funds available for this purpose."

KCSL's child abuse prevention division has consistently advocated for service expansion in this critical area. According to Statewide Victims' Rights Coordinator, Juliene Maska, the 26 domestic violence programs in the state provided shelter to 1,301 women and 1,508 children during the first six months of 1992. In addition, 3,397 women and 3,543 children were reported as being emotionally abused.

When domestic violence occurs, children are indisputably victims, too. Not only is child abuse more likely in homes where the wife is battered, but also, children are very often witnesses

to the battering. The National Coalition Against Domestic Violence (NCADV) estimates that, of these children, 60 percent of the boys will grow up to be batterers, and 50 percent of the girls will grow up to be battered women.

According to a survey conducted by KCSL child abuse prevention in August, 1992, only nine of the 26 domestic violence programs currently have a full time child advocate on staff. Five have a part time child advocate. Only six programs reported that their current children's program is adequate.

Through its Sunflower Partners Project, KCSL has placed child specialists in programs working with alcohol and drug dependent women and their children. Our experience has been very positive. The child specialists assist in meeting the childrens' primary needs such as immediate medical, safety, disciplinary and trauma needs. They are then able to work with the women on parenting issues and to offer the children positive experiences through KCSL's Cheer for Kids Program.

We have learned that timely intervention to assist children in a time of crisis benefits both children and their parents. We can create "a point of repair" in what for children and adults alike is a chaotic and terrifying situation.

By adding special attention to children within existing service systems such as the domestic violence program network, we reduce the cost of program innovation and maximize our ability to gain access to the people who most need child abuse prevention services. If we fail to intervene on the childrens' behalf, we may count on seeing them later in their lives when they are more deeply troubled and much more costly to deal with.

For these reasons, KCSL encourages your support for the passage of HB 2012. For a relatively modest investment, a proven prevention strategy can be activated. At this juncture in our state's history, this is what good public policy looks like.

*Child Abuse Prevention*  
715 West 10th Street  
Topeka, Kansas 66612  
(913) 354-7738

CLASSIFICATION AND SALARY STUDY  
OF DIRECT CARE AND CORRECTIONAL CLASSES,  
AS RECOMMENDED BY THE LEGISLATIVE BUDGET COMMITTEE  
IN PROPOSAL NO. 16 -INSTITUTIONAL SAFETY AND SECURITY.

Submitted By

The Department of Administration  
Division of Personnel Services

March 1, 1993

*Attachment 12*

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## EXECUTIVE SUMMARY

In response to a Legislative Budget Committee proposal to the Senate Ways and Means and House Appropriations Committees, the Division of Personnel Services (DPS) conducted a study which included a comparison of direct care and corrections officer classification and pay structures. In addition to conducting a salary survey of 19 states, DPS staff visited Larned State Hospital and Larned Correctional Mental Health Facility. The purpose of these visits was to obtain first hand knowledge about the work of direct care employees in both security units and non-security at Larned State Hospital, and to assess the \$.50 per differential paid to direct care employees on Larned State Hospital security units. Additionally, a comparison of the work of direct care employees at Larned State Hospital to corrections officers who work at the correctional facility was made.

The salary data obtained indicate that for 13 of the 18 direct care classes surveyed, Kansas salaries are equal to or higher than the central states as measured by average salaries paid. Of 16 central states surveyed, 5 report providing a pay differential for employees of maximum security units in psychiatric hospitals and 3 other states have separate classes for direct care employees who work on security units. The survey results also reveal that in the central states, salaries of correctional officer classes exceed those of direct care classes in psychiatric institutions (classes comparable to Licensed Mental Health Technician) by an average of 12%.

With respect to advancement opportunities for employees in direct care classes in the states surveyed, the structure of classifications tends to be very similar to Kansas. Direct care career ladders appear to be limited due to the existence of professional positions such as nurses, social workers, psychologists, and physicians which also are an integral part of the hierarchy.

In conclusion it was determined that: 1) The work of direct care employees in both security and non-security settings is the same and the same dangers are present in both environments. 2) The \$.50 per hour differential paid to Larned State Hospital employees who work on security units has created severe morale problems, and should be considered for elimination. 3) Direct care employees are paid according to market rates, and adjustments in their salary ranges would create salary compression with professional level employees. 4) Corrections officer work is dissimilar to direct care work and they are commonly paid more than direct care workers among the states surveyed.



## BACKGROUND

The Legislative Budget Committee in its Proposal No. 16 - Institutional Safety and Security (attached as Exhibit C), to the Senate Ways and Means and House Appropriations Committees, recommended that the Division of Personnel Services study and make recommendations on a salary structure for direct care classes. The study was to include consideration of the following:

- o an assessment of the \$.50 per hour differential paid to direct care employees of the Larned State Hospital Special Security Program;
- o consideration of market rate information in determining an appropriate salary structure for direct care classes;
- o consideration of the salary structure of comparable corrections positions; and
- o consideration of advancement opportunities for direct care classes.

## METHODOLOGY

The Division of Personnel Services conducted a study of the classification structure and compensation of direct care and corrections classes. Staff work on the study consisted of the following activities:

- o a telephone survey of other state governments, designed to gather salary data and other pertinent information related to the classification structure and compensation of direct care and correctional classes.
- o a staff visit to Larned State Hospital and the Larned Correctional Mental Health Facility. This activity included formal tours of both institutions, meetings with members of their management staffs, and discussions with employees which focused on the environments of work units, staffing patterns, and safety issues.

### Salary Survey

The Division of Personnel Services conducted a structured telephone survey of the Central States, which is a consortium of 16 states which surround Kansas in the midwestern region of the United States. Kansas founded this consortium in 1984 in order to ensure continuity and consistency with job and salary data, and has relied on it as a valuable information resource since then. The states of California, Washington, Oregon, New York, Texas and Michigan also were surveyed because the

Department of Social and Rehabilitation Service (SRS) identified these states as having mental health and retardation programs comparable to Kansas. The survey was designed to gather salary data on direct care and correctional officer classes as well as information on related subjects such as pay differentials for security work and other pay and promotional practices. The data gathered included the number of employees, salary minimum, salary maximum, and average salary paid to current employees. In addition, job class specifications were obtained from most states in order verify that jobs in other states were comparable to those in Kansas. This information was obtained for the following job categories:

direct care, mental health

direct care, mental retardation

youth service (juvenile detention)

corrections officers

Data were gathered on trainee jobs through first line supervisors for each of the categories. See Exhibit A for complete list of Kansas classes.

The class specifications obtained from states were compared to Kansas classes to determine if they matched. If a match was found, the salary data were recorded. State data were then compared with Kansas data by class and the percentage differences were calculated.

### Salary Survey Results

The salary data obtained indicate that for 13 of the 18 direct care classes surveyed, Kansas salaries are equal to or higher than the central states as measured by average salaries paid. See Exhibit B for a summary of the salary data. Exhibit B depicts, for each class, the percent difference between Kansas minimum, maximum, and average actual salaries compared to central state averages for minimum, maximum, and actual salaries. A positive percent difference indicates that the Kansas salary is higher than the central states average for the particular value compared. Current Kansas compensation policy is to maintain salary levels for state job classifications at the relevant labor market rate. Kansas class salaries are normally considered to be at market rate (step E of the pay range) if they are within 10 percent below and 10 percent above average salaries in the market surveyed. Exhibit B illustrates that, based on this criterion, salaries for all classes surveyed are at, or above, the central states labor market.

The survey results also reveal that in the central states, salaries of correctional officer classes exceed those of direct care classes in psychiatric institutions (such as Licensed Mental Health Technician) by an average of 12%. In Kansas, salaries of correctional classes exceed those of the Licensed Mental Health Technician series by an average of 10%.

At the request of SRS, the additional states of New York, California, Michigan, Oregon, Texas, and Washington were surveyed. New York, Michigan, and Oregon were the only states to provide data. Among these three states, salaries for correctional officer classes exceed salaries of direct care classes by an average of 24%. Also, salaries for direct care classes are 5.3 % greater on average than Kansas direct care classes, and salaries for correctional officer classes are 25% higher on average than Kansas correctional officer classes. Salaries from these states have not previously been used as a comparison to Kansas salaries because these states are not part of the Central States Consortium. These data are not included in **Exhibit B**.

#### Other Survey Results

Of 16 central states surveyed, 5 report providing a pay differential for employees of maximum security units in psychiatric hospitals. In Arkansas, direct care staff on security units receive a 5.5% differential. Idaho, North Dakota, South Dakota, and Oklahoma use point factor job evaluation systems, and assign extra job evaluation points which provide increased pay for direct care employees who work on security units.

Three other states, Nebraska, Colorado and Missouri, have separate classes for direct care employees who work on security units. In Nebraska, these classes are paid 15% more than direct care classes on non-security; in Colorado, 18% more; and, in Missouri, approximately 35% more.

With respect to advancement opportunities for employees in direct care classes in the states surveyed, the structure of classifications tends to be very similar to Kansas in that most states have class series that consist of three to four levels of paraprofessional classes, ranging from an entry or training class through first line supervisor. In addition, the only automatic progression in a class series was found to be from a training or entry level position to the first full-performance level. Further upward movement was found to be contingent upon completion of formal or on-the-job training programs as well as on competitive promotion.

Direct care career ladders also appear to be limited due to the existence of professional positions such as nurses, social workers, psychologists, and physicians which also are an integral part of the hierarchy. In the correctional environment, advancement is based upon attainment of rank similar to that in a military structure, as opposed to attainment of licensure in the direct care environment.

### Findings Of Staff Visits to Larned Institutions

At Larned State Hospital, staff report that injury rates are greater on the non-security wards because of fewer staff on duty. By comparison, safety and security risks are lower on security wards because staffing is greater and security policies and procedures are better defined. The configuration of staffing and patients on Larned State Hospital wards is illustrated below.

	<u>Non-Security</u>	<u>Security</u>
Wards	9	8
Patients	218 of 233 capacity	201 of 250 capacity
Staff	190.5 of 194 authorized	213 of 214 authorized

The security wards account for 52.5% of the direct care positions at the Hospital. There are 9 non-security wards with patient capacity at 233. Currently there are 190.5 filled staff positions with 3.5 vacancies. The non-security wards account for 47.5% of the direct care positions at the Hospital. In addition, there are 1.06 staff per patient on security wards versus only 0.87 staff per patient on non-security wards.

Staff at the Hospital also report that unsafe conditions result when shifts aren't covered due to staff absence. An employee at the Larned Correctional Mental Health Facility who previously worked at Larned State Hospital indicated that this was the primary reason for his leaving the Hospital. He felt much safer at the correctional facility where there is adequate staff and well-defined security procedures to ensure safe working conditions.

The \$.50 per hour security differential paid to employees who work on security units has created morale problems for other employees who work on non-security units. When non-security direct care staff are moved to security wards to provide extra coverage, they are given the \$.50 per hour differential. However, when they return to their non-security unit, the differential is taken away. On the other hand, when security unit direct care staff provides coverage on non-

security units, they still receive the \$.50 per hour differential. Individuals are doing identical jobs but are not being compensated equally, and morale is affected.

The work of corrections officers as observed at the Larned Correctional Mental Health Facility is noticeably dissimilar to the work performed by direct care workers. Corrections officers are trained to provide security in the institutions in order to protect the general welfare of the prison population and prison staff, and the public outside of the prison walls. They must follow strict security procedures throughout their daily tours of duty to ensure safety when inmates are moved from one activity and area to another. They are sworn law officers who are part of a network that includes federal, other state, and local law enforcement officials. By contrast, direct care workers as their title implies, are trained to provide therapeutic care to institutional residents under the supervision of health care professionals that include physicians, nurses, social workers, and psychologists.

#### CONCLUSIONS AND RECOMMENDATIONS

Based on the study of these issues, the Division of Personnel Services reports the following conclusions and recommendations:

- o Employees of security and non-security units at Larned State Hospital perform the same work and face essentially the same dangers.
- o The security differential given to Larned State Hospital employees who work on security units has created a severe morale problem for employees who work on non-security units. The same risk of injury exists on the non-security units, but fewer employees are available to cope with them. Therefore, we recommend eliminating the security differential. This action would represent a pay cut for current employees. If the decision is made to eliminate the differential, and considering the morale of current employees, consideration could be given to allow these employees to continue to receive the pay differential. New employees would not be eligible for the differential.
- o Salary data do not indicate any need to adjust direct care salary ranges.
- o Any increase to salary ranges of direct care classes could result in salary compression within SRS facilities because direct care salaries would approach those paid to professional staff such as nurses and social workers.



- o Work performed by direct care employees is not comparable to work performed by correctional officers. Employees in corrections classes perform different work than employees in direct care classes and universally receive higher pay among the states surveyed.

EXHIBIT A

Direct Care And Correctional Classes Surveyed

Mental Health Trainee

Mental Health Aide

Licensed Mental Health Technician I and II

Licensed Mental Health Technician Specialist

Mental Retardation Trainee

Mental Retardation Technician I And II

Mental Retardation Technician Specialist

Youth Services Specialist Trainee

Youth Services Specialist I,II and III

Corrections Officer Trainee

Corrections Officer I and II

Corrections Specialist I and II

EXHIBIT B

DIRECT CARE AND CORRECTIONAL CLASSES  
COMPARISON OF  
KANSAS AND CENTRAL STATES SALARIES

KANSAS CLASS TITLE	MONTHLY SALARIES			SALARY RANGE
	MIN	MAX	AVG	
Mental Health Trainee				
State Averages	1090	1464	1129	
Kansas	1131	1592	1161	10
Percent Difference	0.04	0.09	0.03	
Mental Health Aide				
State Averages	1278	1733	1461	
Kansas	1247	1755	1389	12
Percent Difference	-0.02	0.01	-0.05	
Lic. Mental Health Tech. I				
State Averages	1347	1915	1672	
Kansas	1516	2133	1736	16
Percent Difference	0.13	0.11	0.04	
Lic. Mental Health Tech. II				
State Averages	1415	2049	1779	
Kansas	1592	2240	1880	17
Percent Difference	0.13	0.09	0.06	

KANSAS CLASS TITLE	MONTHLY SALARIES			SALARY RANGE
	MIN	MAX	AVG	
Corrections Officer Trainee				
State Averages	1507	1929	1537	
Kansas	1445	2032	1446	15
Percent Difference	-0.04	0.05	-0.06	
Corrections Officer I				
State Averages	1536	2160	1732	
Kansas	1592	2240	1723	17
Percent Difference	0.04	0.04	-0.01	
Corrections Officer II				
State Averages	1723	2420	1985	
Kansas	1755	2468	1949	19
Percent Difference	0.02	0.02	-0.02	
Corrections Specialist I				
State Averages	1833	2618	2117	
Kansas	2032	2857	2216	22
Percent Difference	0.11	0.09	0.05	

EXHIBIT B

DIRECT CARE AND CORRECTIONAL CLASSES  
COMPARISON OF  
KANSAS AND CENTRAL STATES SALARIES

KANSAS CLASS TITLE	MONTHLY SALARIES		AVG	SALARY RANGE		KANSAS CLASS TITLE	MONTHLY SALARIES		AVG	SALARY RANGE
	MIN	MAX					MIN	MAX		
Lic. Mental Health Tech. Spec.						Corrections Specialist II				
State Averages	1628	2292	2069			State Averages	2088	2953	2491	
Kansas	1671	2351	1997	18		Kansas	2240	3151	2509	24
Percent Difference	0.03	0.03	-0.03			Percent Difference	0.07	0.07	0.01	
Mental Retardation Trainee										
State Averages	1045	1461	1083							
Kansas	1131	1592	1140	10						
Percent Difference	0.08	0.09	0.05							
Mental Retardation Tech. I										
State Averages	1293	1827	1552							
Kansas	1516	2133	1660	16						
Percent Difference	0.17	0.17	0.07							

EXHIBIT B

DIRECT CARE AND CORRECTIONAL CLASSES  
COMPARISON OF  
KANSAS AND CENTRAL STATES SALARIES

KANSAS CLASS TITLE	MONTHLY SALARIES			SALARY RANGE		KANSAS CLASS TITLE	MONTHLY SALARIES			SALARY RANGE
	MIN	MAX	AVG				MIN	MAX	AVG	
Mental Retardation Tech. II										
State Averages	1335	1920	1574							
Kansas	1592	2240	1783	17						
Percent Difference	0.19	0.17	0.13							
Mental Retardation Tech. Spec.										
State Averages	1602	2255	1947							
Kansas	1671	2351	1951	18						
Percent Difference	0.04	0.04	0.00							
Youth Service Spec. Trainee										
State Averages	1385	1877	1414							
Kansas	1309	1842	1481	13						
Percent Difference	-0.05	-0.02	0.05							
Youth Service Spec. I										
State Averages	1415	1985	1594							
Kansas	1445	2032	1640	15						
Percent Difference	0.02	0.02	0.03							



EXHIBIT B

DIRECT CARE AND CORRECTIONAL CLASSES  
COMPARISON OF  
KANSAS AND CENTRAL STATES SALARIES

KANSAS CLASS TITLE	MONTHLY SALARIES			SALARY RANGE		KANSAS CLASS TITLE	MONTHLY SALARIES			SALARY RANGE
	MIN	MAX	AVG				MIN	MAX	AVG	
Youth Service Spec. II										
State Averages	1498	2077	1644							
Kansas	1592	2240	1841	17						
Percent Difference	0.06	0.08	0.12							
Youth Service Spec. III										
State Averages	1713	2414	1952							
Kansas	1755	2468	2174	19						
Percent Difference	0.02	0.02	0.11							

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## PROPOSAL NO. 16 -- INSTITUTIONAL SAFETY AND SECURITY

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Proposal No. 16 charged the Legislative Budget Committee to:

Review safety and security issues at the state mental health and mental retardation institutions, youth centers, School for the Blind, and School for the Deaf, including examination of training options for safety and security officers employed by these institutions, and review salary structures of the Department of Social and Rehabilitation Services (SRS) and the Department of Corrections' (DOC) employees in comparable positions, especially where both agencies operate on the same campus.

### BACKGROUND

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The charge consolidates recommendations for interim review made during the 1992 Session by the Senate Ways and Means and House Appropriations Committees. Included in the recommendations was the request that the Committee review the institutions' requests for capital improvements and personnel related to safety and security issues.

### I. TRAINING OPTIONS FOR SAFETY AND SECURITY OFFICERS EMPLOYED BY INSTITUTIONS

A total of 79 safety and security officers are employed by the mental health and retardation institutions and the Youth Center at Topeka (YCAT). The Youth Centers at Beloit and Atchison do not have any safety and security positions. The 79 positions include seven range 19 Safety and Security Chief or Director positions, 15 range 17 Safety and Security Officer II positions, and 57 range 15 Safety and Security Officer I positions.

Briefly stated, Safety and Security Officers at the institutions are responsible for ensuring the protection and safety of patients, staff, and visitors, and for protecting state property. K.S.A. 76-12a17 requires persons employed by SRS receiving permanent appointments as security policemen to be awarded a certificate by the Secretary of Corrections attesting to satisfactory completion of a basic course of instruction for correctional officers. Security policemen are defined in K.S.A. 76-12a16 as being "vested with the power and authority of peace, police and law enforcement officers anywhere within the county in which the institution is located for which the security policeman is employed . . . ." Topeka State Hospital requires its Safety and Security Officers to receive 200 hours of training at the DOC facility on the Topeka State campus. Osawatomie State Hospital has developed its own training program, which officials believe is more suited to the needs of the facility. The program includes Mandt training, which is a type of nonviolent self defense training for safety and nursing personnel taught by existing hospital staff. Larned does not currently use Mandt training for security personnel, but plans to begin using Mandt or similar training. Larned and Rainbow Safety and Security Officers do not receive DOC training.

Although varying somewhat among the hospitals, the mental health hospitals offer additional training in some or all of the following: orientation to the campus and security program and procedures, CPR, first aid, infection control, fire safety and firefighter training, risk management, disaster planning, telecommunications device for the hearing impaired, use of restraints, emergency vehicle transportation, patient confidentiality, hazardous materials, electrical safety and chemical water treatment, narcotics investigation, and radio communications. Topeka State Safety and Security Officers also receive DOC inmate supervisory training.

Licensed Mental Health Technician (LMHT) Is, and range 17 (LMHT IIs)), which are compared to range 15 Corrections Officer Trainee positions, range 17 Corrections Officer I positions, and range 19 Correctional Officer II positions. Both the direct care classes of workers employed by the SRS institutions and the correctional worker classes were studied by the Division of Personnel Services in FY 1989 as a part of Phase III of the Comprehensive Classification and Job Rate Study. The pay ranges currently in effect for those positions were determined at that time.

Discussion regarding this issue has also centered on the employees of the Larned State Hospital Special Security Program. The Larned Special Security Program includes two components: the State Security Hospital (Dillon and Jung buildings) and the Security Behavior Ward (Meyer West building). The State Security Hospital evaluates and treats persons committed by the courts and DOC prisoners and includes 165 maximum security beds for males, 12 maximum security beds for females, and 43 maximum security beds for chemical dependency treatment for DOC inmates. The 30-bed Security Behavior Ward houses civilly committed patients who have been transferred from any of the four state mental health hospitals because they have presented safety concerns to other patients or staff. The Security Behavior Ward is a very secure, highly structured unit. For FY 1993, 79.5 LMHT I positions, 24.0 LMHT II positions, and 78.5 Mental Health Aide positions are authorized for this program. Direct care employees of the Special Security program receive a \$.50 per hour pay differential.

The concern that has been noted in this area is that employees of the Larned Special Security Program and the Larned Correctional Mental Health Facility may work with the same patients, yet, as noted, the pay ranges for the former employees are lower. Patients from the correctional facility may be transferred to the State Hospital Special Security Program when their psychiatric treatment needs cannot be met at the correctional facility. According to hospital officials, this can include seriously ill, violent patients. When those patients have been stabilized, they are returned to the correctional facility.

## COMMITTEE ACTIVITIES

The Committee reviewed the institutions' requests for personnel, capital improvement, and capital outlay items relating to safety and security issues and the progress made in implementing those projects funded by the 1992 Legislature.

### Training for Safety and Security Officers

The Committee reviewed the statutory requirements for training safety and security officers and current training needs at the SRS institutions. Testimony from SRS indicated that the current correctional officer training offered by DOC is not appropriate for safety and security officers employed by the institutions and that the institutions have developed individual programs to meet their specific needs.

In response to the Committee's request, representatives of DOC and SRS met to determine the training needs of safety and security personnel employed by the SRS institutions. DOC and SRS staff concluded that DOC training in the following areas would be appropriate for SRS safety and security employees: first aid, cardiopulmonary resuscitation (CPR), fire safety, self defense, use of communications equipment, emergency preparedness, sexual harassment, cultural awareness (to be provided in conjunction with SRS), stress awareness and management, preservation of crime scenes, drug identification and investigation, report writing, key control, bombs, terroristic threats, gangs, and interpersonal relationships. They further concluded that DOC training in the following areas should be supplemented by SRS to meet the unique needs of SRS security personnel: firefighter training, use of restraints, communication skills, hazardous materials, search and seizure, missing persons reports, fire and safety inspections, legal issues, and security procedures. Finally, SRS should provide training in the following areas: Mandt training (nonviolent crisis intervention); patient vehicular transport; crime prevention;

of training devised by SRS and DOC would provide valuable and appropriate training for SRS safety and security officers. The collaborative training efforts of SRS and DOC could also enhance the training currently provided by DOC for its corrections officers.

The Committee recommends that K.S.A. 76-12a17 be amended to require that SRS security officers be awarded a certificate by the Secretary of Corrections attesting to the completion of a basic course of instruction specified by the Secretary of SRS and the Secretary of Corrections, rather than the current requirement that SRS security officers complete a basic course of instruction for correctional officers. The statutory reference to K.S.A. 75-5212, which requires that the training course be approved by the Secretary of Corrections and consist of not less than 200 hours of training, would be deleted. \_\_\_\_ B. \_\_\_\_ carries out this recommendation.

The Committee recommends that SRS continue to work toward a reduction in the injury rate at its institutions. The Committee recommends that SRS explore whether additional training for SRS employees would help to reduce the injury rate and that SRS continue to monitor this area. The safety committees should be active at each of the institutions and should receive input from direct care workers regarding safety and security issues.

In regard to the salary equity issue, the Committee notes that the direct care classes were reviewed as a part of Phase III of the Comprehensive Classification and Job Rate Study in FY 1989. After review of the issue, however, the Committee recommends that the Division of Personnel Services study and make recommendations for a salary structure for direct care classes. The study should include an assessment of the \$.50 per hour pay differential paid to direct care employees of the Larned State Hospital Special Security program. In addition to considering market rate information in determining an appropriate salary structure, the study should consider the salary structure of comparable corrections positions. Advancement opportunities for direct care classes should also be considered. The results of the Division of Personnel Services study should be presented to the Ways and Means and Appropriations Committees on or before March 1, 1993.

Respectfully submitted,

November 10, 1992

Sen. August Bogina, Jr., Chairperson  
Legislative Budget Committee

Rep. Henry Helgeson, Vice-Chairperson  
Rep. Sheila Hochhauser  
Rep. James Lowther  
Rep. George Teagarden

Sen. Paul Burke  
Sen. Gerald Karr