

SESSION OF 2007

**SUPPLEMENTAL NOTE ON
HOUSE SUBSTITUTE FOR SENATE BILL NO. 14**

As Recommended by House Committee on
Judiciary

Brief*

House Sub. for SB 14 would allow for the enactment of a new grant program to be administered by the Department of Corrections (DOC) to encourage community corrections programs to reduce revocation rates by at least 20 percent. The Secretary of DOC would adopt grant requirements which would include provisions such as the following:

- Target offenders at medium and high risk for revocation;
- Reduce and specialize caseloads for community corrections officers;
- Provide offenders with needed supervision and services to improve the offender's opportunity to successfully complete community correctional services programs;
- Utilize an intermediate sanctions community supervision model;
- Provide needed staff training and skill development;
- Utilize treatment options including substance abuse treatment, mental health treatment, and cognitive and behavioral programs;
- Utilize gang intervention strategies;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- Address safety concerns of the community;
- Implement a method of tracking and reporting revocations;
and
- Establish a goal of reducing the number of offenders.

Another major provision of the bill would provide for good-time credits of inmates to be raised from the current 15 percent to 20 percent. In addition, there would be program credits available to inmates for successful completion of certain programs, such as completion of a general education diploma, technical or vocational training, substance abuse treatment, or any other designated program. Eligible inmates would be able to earn 60 days of good-time credit on a one-time basis upon program completion.

The bill also would allow for the DOC to grant financial aid to counties to defray all or part of the expenses of Corrections Advisory Board members in carrying out official duties. Likewise, DOC would be required to award grants for community correction services. The determination of the amount would be based on the following criteria:

- Staffing levels;
- Administrative costs;
- Funded contracts for services remaining unused;
- Unreasonable indirect costs;
- Client numbers;
- Caseload projections;
- Travel costs;
- Contracted services' costs;

- Shrinkage factors;
- Vacancy savings;
- Turnover rates; and
- Comprehensive community corrections plan submitted to the DOC Secretary.

The Secretary also would be allowed to reduce a grant.

Background

The original contents of SB 14 were deleted and provisions of HB 2141 and HB 2142, as well as other measures were inserted.

Proponents of HB 2141 included Representative Pat Colloton; Secretary Roger Werholtz, Department of Corrections; John Trembly, Director, Community Corrections; and Annie Grevas, Director, Community Corrections. Marshall Clement, Council of State Government, provided informational material. Written support was provided by Fred C. Osher, M.D. and District Court Judge Ernest L. Johnson, 29th Judicial District (Wyandotte County).

Proponents of HB 2142 included Representative Pat Colloton; and Secretary Roger Werholtz, Department of Corrections. Informational material was presented by Marshall Clement, Council of State Governments.

The fiscal note for HB 2141, as drafted, states the Department of Corrections estimates that passage of HB 2141 would require additional administrative expenditures for the grant program during the first year in the amount of \$491,763, all from the State General Fund. This estimate includes \$360,520 for 7.00 additional FTE positions to evaluate the grant applications, submitted community corrections agency budgets, and the monthly and quarterly performance reports from the

agencies. Also included in the estimate is \$19,393 for travel and subsistence expenditures; \$36,570 for ongoing operating costs of rent, telephone, and supplies; and \$75,280 for one-time computer equipment and technical support expenditures.

The grants to community corrections agencies are subject to annual appropriations by the Legislature. However, the Department estimates that the scope of the program would require approximately \$4.0 million in grants each year, all from the State General Fund. Any fiscal effect resulting from the passage of HB 2141 would be in addition to amounts included in *The FY 2008 Governor's Budget Report*.

The fiscal note for the original HB 2142 state the Kansas Sentencing Commission estimates that passage of HB 2142 would result in a savings of six adult prison beds by the end of FY 2008. That change would increase to a savings of 123 prison beds by the end of FY 2017.

An annual reduction of approximately \$2,000 per inmate for basic support, including food service, could be saved from the budget of the Department of Corrections or its facilities. Additional savings for health care also could be incurred, if the decrease in the inmate population required adjustments in the medical contract. The health care contract stipulates that whenever the inmate count at a facility changes by more than a specified percentage, an adjustment in contract payments is made. The amount of any adjustment would depend on the specific facility involved. Any fiscal effect resulting from this bill has not been included in *The FY 2008 Governor's Budget Report*.