

Kansas Department of Corrections Prisoner Review Board Overview

Presentation to

Joint Committee on Corrections and Juvenile Justice Oversight

Dave Riggan, Prisoner Review Board Chairperson
February 29, 2012

Corrections and Juvenile Justice

Date: 2-29-12

Attachment # 1-1

FY 12 Parole Suitability Hearing Decisions By Month (July 2011 - January 2012)

| | Number of Decisions Y to D | | | | | | | | | | | | Percentage Y to D | |
|---|----------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------------|--------|
| | JUL | AUG | SEP | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | | |
| Parole Granted | 2 | 15 | 11 | 14 | 14 | 11 | 10 | | | | | | 77 | 39.5% |
| Parole Denied (pass) | 18 | 16 | 19 | 10 | 19 | 15 | 13 | | | | | | 110 | 56.4% |
| Serve to Mandatory Release (CR or Max) | 1 | 2 | 1 | 1 | 2 | 1 | 0 | | | | | | 8 | 4.1% |
| Total Decisions (excluding continued decisions) | 21 | 33 | 31 | 25 | 35 | 27 | 23 | | | | | | 195 | 100.0% |
| Continued Decisions | 2 | 1 | 5 | 3 | 3 | 1 | 0 | | | | | | 15 | |
| Total - All Decisions | 23 | 34 | 36 | 28 | 38 | 28 | 23 | 0 | 0 | 0 | 0 | 0 | 210 | |

Note: Parole suitability hearings are held one month preceding the parole eligibility date (PE Date) on inmates with indeterminate sentences. Indeterminate sentences include sentences for offenses committed prior to July 1, 1993 and off-grid sentences for offenses committed on/after July 1, 1993. The parole rate for the first seven months of FY 2012 is 39.5%.

Kansas Parole Board Decisions vs. Prisoner Review Board Decisions

| Decision | KPBB Decisions FY 2007-2011 | | | | | | PRB FY 2012 | | | | | |
|--|-----------------------------|---------|---------|---------|---------|---------|-------------|---------|---------|---------|---------|---------|
| | FY 2007 | | FY 2008 | | FY 2009 | | FY 2010 | | FY 2011 | | FY 2012 | |
| | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Parole Granted | 211 | 40.5% | 166 | 33.4% | 173 | 40.4% | 123 | 37.1% | 115 | 32.0% | 77 | 39.5%* |
| Parole Denied (pass) | 297 | 57.0% | 289 | 58.1% | 230 | 53.7% | 179 | 53.9% | 220 | 61.1% | 110 | 56.4% |
| Serve to Mandatory Release (CR or Max) | 13 | 2.5% | 42 | 8.5% | 25 | 5.9% | 30 | 9.0% | 25 | 6.9% | 8 | 4.1% |
| Total Decisions (excluding continued decisions) | 521 | 100.0% | 497 | 100.0% | 428 | 100.0% | 332 | 100.0% | 360 | 100.0% | 195 | 100.0% |
| Continued Decisions | 186 | | 165 | | 214 | | 175 | | 121 | | 15** | |
| Total - All Decisions | 707 | | 662 | | 642 | | 507 | | 481 | | 210 | |

*The five year average parole rate for the KPBB in the five years immediately preceding FY 2012 was approximately 37%.

**This represents the total number of continued decisions issued. It does not represent the total number of inmates on "continued status".

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| FY 12 Revocation Hearing Decisions - Indeterminate Offenders Only by Month (July 2011- January 2012) | | | | | | | | | | | | | | |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----------------------------|-------------------|
| | JUL | AUG | SEP | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | Number of Decisions Y to D | Percentage Y to D |
| Revoked & Passed to New Hearing Date | 4 | 1 | 5 | 4 | 3 | 1 | 3 | | | | | | 21 | 37.5% |
| Revoked & Re-paroled (includes one KPBB carryover case) | 4 | 3 | 2 | 9 | 4 | 2 | 6 | | | | | | 30 | 53.6% |
| Not Revoked | 0 | 0 | 1 | 0 | 2 | 2 | 0 | | | | | | 5 | 8.9% |
| Total - All Decisions | 8 | 4 | 8 | 13 | 9 | 5 | 9 | | | | | | 56 | 100.0% |

Total decisions year to date including both Parole Eligibility and Revocation Hearings (excluding those not revoked) is 107 released (42.6%), 131 passed (52.2%) and 13 other (5.2%).

**KANSAS PAROLE BOARD vs. PRISONER REVIEW BOARD
 REVOCATION DECISIONS FOR INDETERMINATE SENTENCED
 OFFENDERS**

| Decision | KPB Revocation Hearing Decisions FY 2007-2011 | | | | | | | | | | PRB FY 2012 Revocation Decisions Y to D | |
|---|---|---------------|------------|---------------|------------|---------------|-----------|---------------|------------|---------------|---|---------------|
| | FY 2007 | | FY 2008 | | FY 2009 | | FY 2010 | | FY 2011 | | | FY 2012 |
| | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Revoked & Passed to New Hearing Date | 129 | 72.1% | 116 | 78.9% | 81 | 62.8% | 52 | 53.1% | 58 | 55.8% | 21 | 37.5% |
| Revoked & Re-paroled | 49 | 27.4% | 29 | 19.7% | 43 | 33.3% | 38 | 38.8% | 32 | 30.8% | 30 | 53.6% |
| Not Revoked | 1 | 0.6% | 2 | 1.4% | 5 | 3.9% | 8 | 8.2% | 14 | 13.5% | 5 | 8.9% |
| Total – All Decisions | 179 | 100.0% | 147 | 100.0% | 129 | 100.0% | 98 | 100.0% | 104 | 100.0% | 56 | 100.0% |

Prisoner Review Board – General Statistical Information

July 1, 2011 – January 31, 2012

- 770 - approximate number of determinate sentence release plans reviewed and special conditions imposed as needed
- 352 - waiver of final revocation cases were reviewed and special conditions imposed as needed
- 313 - revocation hearings conducted
 - 56 for indeterminate sentenced offenders
 - 257 for determinate sentenced offenders
- 181 - parole suitability hearings conducted (hearings may not equal number of decisions issued)
- 209 - early discharge requests reviewed
 - 87 requests were approved
 - 122 requests were disapproved
- 21 - decisions issued on "continued/pending" decisions carried over from the KPB
 - 5 cases are on "continued status" at this time
- 14 - clemency applications reviewed and forwarded to the Office of the Governor
- 0 - functional incapacitation release packets received/reviewed

Activities to Date

Training

- June 1-2 and October 3-4, 2011: Through funding from the National Institute of Corrections (NIC), Richard Stroker provided technical assistance to the Board members and administrator
- July 8 and November 28, 2011: KDOC Office of Victim Services staff provided training on victims' issues
- September 7-9, 2011: Dave Rigglin, Chairperson, attended NIC sponsored training for parole board members in Potomac, MD
- November 10, 2011: Staff from Clinical Associates, P.A. (KDOC sex offender treatment provider) provided training on sex offender assessment tools
- December 14, 2011: Kansas University Physicians Group and Correct Care Solutions staff provided training on mental health, violence and psychopathy assessment tools
- February 2012: The Parole Board Administrator attended an NIC training titled "Managing the Parole Authority: An Orientation for Parole Board Executives"

Technology Enhancements

- December 2011: Implemented an automated "Parole Action Notification" process between the PRB and facility staff. This process will result in a more timely and accurate dissemination of parole decisions
- December 2011-January 2012: Began testing an automated "Parole Hearing Note and Review" form. This process will free up time of facility staff by populating selective fields with data from OMS and TOADS data bases

Risk Reduction

- NIC has selected Kansas as one of three states (along with Connecticut and Ohio) to work with Dr. Ralph Serin from Canada. Dr. Serin developed and validated a Structured Decision Making Model for the National Parole Board of Canada and this project is to test it's validity for use in the united States. A pre-planning visit was held January 30, 2012. Three PRB staff are scheduled to participate in training in Ohio on March 29-30, 2012.

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Dave Riggin, Chairperson

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Prisoner Review Board

Effective July 1, 2011, the Prisoner Review Board assumed the duties and responsibilities of the Kansas Parole Board which was abolished by Executive Reorganization Order No.34. The full time Chairman is Dave Riggin. He is joined on the board by two half-time members: Kathleen Graves, who is Parole Services Manager for the KDOC, and by Jonathan Ogletree, who is the Cognitive Behavioral Services Coordinator for the KDOC at Lansing Correctional Facility. These three board members have more than 75 years of combined law enforcement, corrections, and case management experience.

The PRB continues to: hold public comment sessions, solicit input from crime victims and local law enforcement officials, issue release decisions on inmates, serve on the Kansas Sentencing Commission, conduct revocation hearings on offenders charged with parole or postrelease supervision violations, approve early discharges from parole supervision, review clemency applications as well as perform other functions previously handled by the Kansas Parole Board. Release, revocation and other decisions will continue to be based on the consideration of all relevant statutory factors, risk/need issues and be evidence-and-best-practice based.

Biographical Information of Board Members



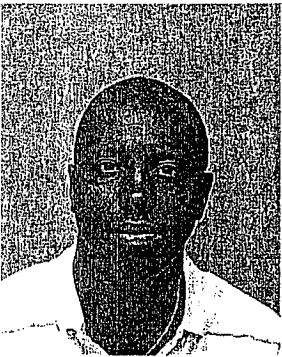
David Riggin – Mr. Riggin has served in the criminal justice field for over 27 years. He began his career in corrections as a social worker at the Topeka Pre-Release Center in 1984 and in 1985 was promoted to Institutional Education Coordinator. In 1988 Dave was promoted to Unit Team Manager of the newly opened I-Dorm at the Reception and Diagnostic Unit in Topeka. He transferred to the Central Office in 1990 as assistant to the Deputy Secretary of Facilities Management and was later promoted to Classification Manager. In 2000 Dave was reassigned to Director of Inmate Classification and Sentence Computation. Dave was instrumental in the design and implementation of the Centralized Sentence

Computation Unit, the design, implementation and validation of the current inmate custody classification system and provided oversight to the implementation of Senate Bill 14. Dave also serves as an adjunct instructor on the faculty at the University of Kansas, School of Social Welfare graduate studies. Dave has a BSW from Washburn University and an MSW from the University of Kansas. He is a licensed MSW in the State of Kansas.



Kathleen Graves – Ms. Graves has served in the criminal justice field for nearly 29 years and has held positions in city and county law enforcement as well as in the correctional field. She joined KDOC in 1991 as a parole officer in Wichita and was promoted to Regional Parole Supervisor in 1993, before joining the Central Office in 2000 as Director of Community Corrections Services. Kathleen was also responsible for oversight of the Labette Correctional Conservation Camps and assisted in the development and implementation of the current community supervision system used by parole and community corrections. Kathleen transferred from the Director of Community Corrections Services to Parole Services

Manager in 2010. She received her Bachelor degree in Criminal Justice and Computer Science from Wichita State University.



Jonathan Ogletree – Mr. Ogletree has been in the criminal justice system for 22 years. He began his career with KDOC in 1989 at the Lansing Correctional Facility as a Corrections Officer and has also served as a Correctional Counselor, a Unit Team Manager and Director of the Shawnee County Re-entry Program. He has participated in two NIC leadership training programs, completed the Advanced Practicum for the “Thinking for a Change Program” through NIC and serves as a trainer for KDOC. Prior to his employment with the Department of Corrections, Jonathan served in the U.S. Army. He has a Bachelor of Science degree from Friends University in Organizational Management and Leadership,

and a Master of Arts degree from Webster University in Management.