AN ACT concerning the department of corrections; relating to community corrections; advisory boards; grant programs; amending K.S.A. 75-5298 and K.S.A. 2018 Supp. 75-5297, 75-52,105 and 75-52,112 and repealing the existing sections.

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

Section 1. K.S.A. 2018 Supp. 75-5297 is hereby amended to read as follows: 75-5297. (a) Subject to the other provisions of this section, each corrections advisory board established under this act shall consist of at least 12, but not more than 15, members who shall be representative of law enforcement, prosecution, the judiciary, education, corrections, ethnic minorities, the social services and the general public and shall be appointed as follows:

(1) The law enforcement representatives shall be: (A) The sheriff or, if two or more counties are cooperating, the sheriff selected by the sheriffs of those counties, or the designee of that sheriff, and (B) the chief of police of the city with the largest population at the time the board is established or, if two or more counties are cooperating, the chief of police selected by the chiefs of police of each city with the largest population in each county at the time the board is established, or the designee of that chief of police, except that, For purposes of this paragraph, (1) in the case of a county having consolidated law enforcement and not having a sheriff or any chiefs of police, "sheriff" means the law enforcement director and "chief of police of the city with the largest population" or "chief of police" means a law enforcement officer, other than the law enforcement director, appointed by the county law enforcement agency for the purposes of this section;

(2) the prosecution representative shall be the county or district attorney or, if two or more counties are cooperating, a county or district attorney selected by the county and district attorneys of those counties, or the designee of that county or district attorney;

(3) the judiciary representative shall be the chief judge of the district court of the judicial district containing the county or group of counties or, if two or more counties in two or more judicial districts are cooperating, the chief judge of each such judicial district, or a judge of the district court designated by each such chief judge;
(4) the education representative shall be an educational professional appointed by the board of county commissioners of the county or, if two or more counties are cooperating, by the boards of county commissioners of those counties;

(5) a court services officer designated by the chief judge of the district court of the judicial district containing the county or group of counties or, if counties in two or more judicial districts are cooperating, a court services officer designated by the chief judges of those judicial districts;

(6) the board of county commissioners of the county shall appoint or, if two or more counties are cooperating, the boards of county commissioners of those counties shall, together, appoint an executive director of a community mental health center, or if there is no community mental health center within such county or counties, a representative of mental health service providers in such county or counties;

(7) the board of county commissioners of the county shall appoint or, if two or more counties are cooperating, the boards of county commissioners of those counties shall together appoint at least three, but not more than six, additional members of the corrections advisory board or, if necessary, additional members so that each county which is not otherwise represented on the board is represented by at least one member of such board; and

(8) three members of the corrections advisory board shall be appointed by cities located within the county or group of cooperating counties as follows: (A) If there are three or more cities of the first class, the governing body of each of the three cities of the first class having the largest populations shall each appoint one member; (B) if there are two cities of the first class, the governing body of the larger city of the first class shall appoint two members and the governing body of the smaller city of the first class shall appoint one member; (C) if there is only one city of the first class, the governing body of such city shall appoint all three members; and (D) if there are no cities of the first class, the governing body of each of the three cities having the largest populations shall each appoint one member.

(b) If possible, of the members appointed by the boards of county commissioners in accordance with subsection (a)(6) (a)(7) and by the governing bodies of cities in accordance with subsection (a)(7)(a)(8), members shall be representative of one or more of the following: (1) Parole officers; (2) public or private social service agencies; (3) ex-offenders; (4) the health care professions; and (5) the general public.

(c) At least two members of each corrections advisory board shall be representative of ethnic minorities and no more than 2/3 of the members of each board shall be members of the same sex.
(d) In lieu of the provisions of subsections (a) through (c), a group of cooperating counties as provided in subsection (a)(2) of K.S.A. 75-52,110(a)(2), and amendments thereto, may establish a corrections advisory board, which and such board's membership shall be determined by such group of counties through cooperative action pursuant to the provisions of K.S.A. 12-2901 through 12-2907, and amendments thereto, to the extent that those statutes do not conflict with the provisions of this act, except that if two or more counties in two or more judicial districts are cooperating, the chief judge of each such judicial district, or a judge of the district court designated by each such chief judge shall be a member of such board. In determining the membership of the corrections advisory board pursuant to this subsection, such group of counties shall appoint members who are representative of law enforcement, prosecution, the judiciary, education, corrections, ethnic minorities, the social services and the general public. Any corrections advisory board established and the membership determined pursuant to this subsection shall be subject to the approval of the secretary of corrections.

Sec. 2. K.S.A. 75-5298 is hereby amended to read as follows: 75-5298. (a) Members of a corrections advisory board appointed in accordance with K.S.A. 75-5297, and amendments thereto, shall serve for terms of two three years from and after the date of their appointment and shall remain in office until their successors are duly appointed. All vacancies in a corrections advisory board shall be filled for the unexpired term in the manner that the position was originally filled. Each corrections advisory board shall elect its own officers.

(b) All proceedings of the corrections advisory board and any committee or subcommittee of the board shall be open to the public in accordance with and subject to the provisions of K.S.A. 75-4317 through 75-4320, inclusive, and acts amendatory and amendments thereto. All votes of members of the corrections advisory board shall be recorded and shall become matters of public record.

(c) The corrections advisory board shall promulgate and implement rules concerning the conduct of proceedings and attendance of members at board meetings.

Sec. 3. K.S.A. 2018 Supp. 75-52,105 is hereby amended to read as follows: 75-52,105. (a) Upon compliance by a county or group of counties with the requirements for receipt of the grants authorized by the community corrections act and approval of the comprehensive plan by the secretary of corrections, the secretary of corrections shall determine the amount of the annual grant to each such county and, commencing on the next ensuing January 1 or July 1 after approval of the comprehensive plan, shall proceed to pay such grant in equal quarterly payments in accordance with and subject to such act, applicable rules and regulations,
and the provisions of appropriations acts.

(b) On a quarterly basis, each county receiving semiannual quarterly grant payments under such act shall submit to the secretary of corrections certified statements detailing the amounts expended and costs incurred for the correctional services described in K.S.A. 75-5291, and amendments thereto. Upon receipt of such certified statements, the secretary of corrections shall determine whether each such county is in compliance with the expenditure and operation standards prescribed under such act for such services and shall determine the semiannual quarterly payment amount each such county is entitled to receive after making any adjustments for reductions or charges as required by or in accordance with such act and applicable rules and regulations.

(c) Semiannual Quarterly grant payments for counties entitled thereto under such act shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of corrections or by a person or persons designated by the secretary of corrections to the county treasurers of such counties.

Sec. 4. K.S.A. 2018 Supp. 75-52,112 is hereby amended to read as follows: 75-52,112. (a) As used in this section, "supervision success rate" means the percentage of those persons under supervision in a community corrections program whose supervision is not revoked and remanded to the custody of the department of corrections for imprisonment.

(b) On and after July 1, 2011 2019, subject to the provision of appropriation acts, the secretary of corrections shall develop and implement a grant program with the goal of increasing public safety, reducing the risk of offenders on community supervision and achieving and maintaining a supervision success rate of at least 75% or improving such rate by at least 3% from the previous year determined by the secretary of corrections as set out in the correctional services standards adopted pursuant to K.S.A. 75-5296, and amendments thereto.

(e)(b) Any county or counties operating community correctional services may apply for the grant. The program shall give priority to a county or counties in which the supervision success rate for offenders on community supervision is significantly lower than the statewide average, which target a higher supervision success rate than the required supervision success rate of 75% or 3% annual supervision success rate improvement as determined by the secretary of corrections or which target the successful reentry of offenders who are considered medium or high risk for revocation.

(d)(c) The secretary shall adopt grant requirements in accordance with this section. Proposals for grants under this program shall include, but not be limited to, provisions to:

(1) Target offenders at medium and high risk for revocation—
(2) reduce and specialize caseloads for community corrections officers;

(3) provide the manage offenders with effective supervision practice and provide the needed supervision and services to improve such offenders' opportunity to successfully complete community correctional services programs, resulting in a reduction in revocations to prison reduced recidivism and increased public safety. Such services may include, but not be limited to, cognitive behavior intervention, employment training and placement, educational assistance, transportation and housing assistance. Such services shall be evidence-based and address offenders' criminogenic risks, needs and responsivity characteristics;

(4) use an intermediate sanctions community supervision model;

(5) provide staff training and skill development for community corrections officers in risk reduction and intervention effective practices in community supervision. Such training and development shall be approved and certified by the secretary;

(6) utilize treatment options, including substance abuse treatment, mental health treatment, and cognitive and behavioral programs program interventions for offenders. For identified need areas, approved assessment and evaluation instruments should be utilized to ensure offender placement into appropriate levels of treatment and intervention;

(7) use gang intervention strategies;

(8) address safety concerns of the community;

(9) implement a method of tracking and reporting the dosing of services received by offenders who successfully complete a community corrections services program and offenders revoked to prison;

(10) establish a goal of reducing increasing the number of offenders, by a specified percentage, whose supervision is revoked and the offender sentenced to prison who successfully complete a community correctional services program by providing a plan to: (A) Achieve and maintain a supervision success rate of at least 75%, or improve such rate by at least 3% from the previous year as determined by the secretary of corrections; or (B) target the successful reentry of offenders who are considered medium or high risk for revocation recidivism by applying an optimal dosage of service, pro-social structure and supervision strategies based on the offender's assessed level of risk and criminogenic needs;

(11) develop a specific accountability system for monitoring, tracking and utilizing the grant funds and to evaluate the effectiveness of the grant funds; and

(12) develop a consistent set of policies that will guide judges and community corrections officers in the supervision and revocation of offenders on community corrections supervision.
(e) The department of corrections shall establish a date for achieving goals based upon implementation timelines and goals specific to each grant, which may include an overall reduction or a reduction for a specifically targeted population.

(f) The department of corrections shall evaluate the programs which received a grant using a research-based process evaluation targeting the critical components of effective programs to ensure that the program is being delivered as such program was designed. Continued funding shall be contingent on the program meeting the established goals.

(g) The secretary shall prepare a report which states the number of programs receiving grants pursuant to this section, specifically identifying each program, summarizing the provisions of each program and the success of the program in reducing revocations. Such report shall be delivered to the governor, the secretary of the senate, the chief clerk of the house of representatives and the Kansas reentry policy council on or before the first day of the regular legislative session each year in which the grant program is funded.

Sec. 5. K.S.A. 75-5298 and K.S.A. 2018 Supp. 75-5297, 75-52,105 and 75-52,112 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.