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Testimony on SB 74
to
The House Commerce, Labor and Economic Development Committee

By Ray Roberts
Secretary
Kansas Department of Corrections
March 11, 2013

SB 74 involves the public policy of providing vocational training and experience to inmates prior to their return to the community. SB 74 as amended by the Senate Committee provides for the continuation of the department's vocational education program providing cabins to the Department of Wildlife, Parks and Tourism. To be clear, that program while providing an invaluable vocational program to inmates was not a large program. That vocational education program did not build any cabins for the Department of Wildlife, Parks and Tourism during calendar year 2012. Hopefully, that very successful program providing an affordable family recreational experience at Kansas Parks can be reinstated.

Of more significance is the authorization to Kansas Correctional Industries to sell prison made goods to Kansas residents and businesses. This authorization is to sunset July 1, 2013. The department urges that the sunset provisions be repealed. A balloon amendment for that recommendation is attached.

Vocational training and industries work programs benefit Kansas employers and enhance public safety. Approximately 75% of KDOC inmates have a moderate or high risk/need LSI-R score due to the need for employment or education. The types of training opportunities provided by construction and industry projects are invaluable when it comes to their return to the community seeking meaningful employment. Dr. Liechtenberger in a study for the Kansas Department of Labor found the department's work force development program reduces recidivism by 1/3. Not only are released offenders less likely to recidivate and reenter the state correctional system, they are more likely to become safer, tax-paying citizens.

Finally, vocational training and employment programs enhance facility safety. Inmates engaged in constructive activities pose a reduced threat while incarcerated. Not only are inmates spending their time productively while incarcerated, they realize they are gaining skills for their future.

More significant to providing work training and experience to inmates than the cabin building program, was the loss of state universities as consumers of prison made goods. In 2010, the legislature, at the request of the State Regents, exempted state universities from the requirement that they must purchase

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prison made goods whenever possible. In recognition of the impact of that loss of that market for prison made goods, K.S.A. 75-5275 was amended to authorize the sale of prison made goods to Kansas residents and businesses. However, this authority is scheduled to expire July 1, 2103. The department urges repeal of this sunset clause and has prepared a balloon amendment to accomplish that goal which is attached.

During FY 2011 and FY 2012, Kansas Correctional Industries lost over \$500,000 in revenue due to the exemption granted to the Regents. With the ability to sell prison made goods to Kansas residents and businesses, KCI was able to gain back \$122.161 in sales since July 2011,

The KCI program is self sufficient and its revenues are used to provide funding in excess of \$935,000 for the department's other rehabilitation programs. Additionally, KCI purchases over \$800,000 in materials and supplies from Kansas Business and an additional \$445.587 from out of state vendors with Kansas branches.

The Department urges SB 74 be amended as proposed in its balloon and that SB 74 as so amended be favorably considered.

SENATE BILL No. 74

By Committee on Commerce

1-24

1 AN ACT concerning the prison-made goods act; relating to the
2 manufacture or production of manufactured homes or modular homes.
3
4 *Be it enacted by the Legislature of the State of Kansas:*
5 Section 1. (a) Notwithstanding any provision of the prison-made
6 goods act of Kansas to the contrary, the secretary shall not establish or
7 maintain a home building program which manufacturers or produces
8 housing units which would compete with the:
9 (1) (A) Manufactured homes or modular homes manufactured,
10 assembled or sold by manufactured home manufacturers; or
11 (B) manufactured homes or modular homes sold by manufactured
12 home dealers; or
13 (2) (A) modular homes manufactured, assembled or sold by modular
14 home manufacturers; or
15 (B) modular homes sold by modular home dealers.
16 (b) As used in this section:
17 (1) "Manufactured home" has the meaning ascribed to such term by
18 K.S.A. 58-4202, and amendments thereto;
19 (2) "manufactured home dealer" has the meaning ascribed to such
20 term by K.S.A. 58-4202, and amendments thereto;
21 (3) "manufactured home manufacturer" has the meaning ascribed to
22 such term by K.S.A. 58-4202, and amendments thereto;
23 (4) "modular home" has the meaning ascribed to such term by K.S.A.
24 58-4202, and amendments thereto; and
25 (5) "secretary" means the secretary of corrections.
26 (6) *"Vocational building program" means the vocational building*
27 *program operated by the secretary to provide individual, freestanding*
28 *buildings, not to exceed 1,000 square feet in size, to state agencies for*
29 *use by such agencies.*
30 (c) *The provisions of this section shall not apply to a vocational*
31 *building program.*
32 ~~(e)~~(d) This section shall be a part of and supplemental to the prison-
33 made goods act of Kansas. ✓
34 See 2. ^ This act shall take effect and be in force from and after its
35 publication in the statute book.

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SB 74 KDOC Balloon INSERT

Sec. 2. K.S.A. 2012 Supp. 75-5275 is hereby amended to read as follows: 75-5275. (a) The secretary is hereby authorized to purchase in the manner provided by law, equipment, raw materials and supplies, and to employ the supervisory personnel necessary to establish and maintain for this state at each correctional institution, industries for the utilization of services of inmates in the manufacture or production of such articles or products or in providing such services as authorized by the prison-made goods act of Kansas.

(b) (1) The secretary is hereby authorized to sell all such articles, products and services to the federal government, any state agency, state employees for their personal use, any local agency, or any organization within the state and, to the extent not prohibited by federal law, to other states.

(2) In addition to the persons and entities specified in paragraph (1), the secretary is hereby authorized to sell all such articles, products and services to any individual who is a resident of the state of Kansas and to any business located within the state of Kansas.

~~The provisions of this paragraph (2) shall expire on June 30, 2013.~~

(c) The secretary is hereby authorized to contract with a private individual, corporation, partnership or association for work projects involving assembly, processing, fabrication or repair of parts or components for goods or products being manufactured or produced by the contracting party. Any contract authorized by this subsection shall be in compliance with federal law and shall not result in the significant displacement of employed workers in the community. If an inmate receives at least federal minimum wage pursuant to a contract authorized by this subsection, the provisions of K.S.A. 75-5211 and 75-5268, and amendments thereto, for withdrawing amounts from the compensation paid to inmates shall apply.

(d) The secretary is hereby authorized to contract with a private individual, corporation, partnership or association for work projects involving the repair of real estate damaged by a tenant under the release supervision of the department of corrections.

Sec. 3. K.S.A. 2012 Supp. 75-5275 is hereby repealed.

Sec. 4.