

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairperson Pat Colloton at 1:35 p.m. on January 13, 2009, in Room 535-N of the Capitol.

All members were present except:

Representative Stan Frownfelter- excused

Committee staff present:

Jackie Lunn, Administrative Assistant

Athena Andaya, Kansas Legislative Research Department

Jerry Donaldson, Kansas Legislative Research Department

Christina Butler, Kansas Legislative Research Department

Jarod Waltner, Kansas Legislative Research Department

Jason Thompson, Office of the Revisor of Statutes

Sean Ostrow, Legislative Fellow, Office of the Revisor of Statutes

Jill Wolters, Office of the Revisor of Statutes

Conferees appearing before the Committee:

Others attending:

See attached list.

The next meeting is scheduled for January 14, 2009.

The meeting was adjourned at 2:20 p.m.

Chairperson Colloton welcomed everyone to the meeting and called on the Committee members and staff to introduce themselves and tell a little about their backgrounds. Upon the completion of the introductions Chairperson Colloton gave a brief history of the House Corrections & Juvenile Justice Committee and what the Committee would be working on this session stating one of the major pieces of legislation would be the recodification bill. She then turned the Committee's attention to the Committee Rules ([Attachment 1](#)) and the Conferee rules ([Attachment 2](#)). She gave a brief review of what the Committee would be doing the next week and announced there would not be a meeting on Thursday due to the Ft. Riley trip.

Next on the agenda was Athena Andaya, Kansas Legislative Research Department, to give an overview to the Committee on the activities of the Joint Committee on Corrections & Juvenile Justice Oversight for the 2008 Interim.

Ms. Andaya presented written copy of the *Report of the Joint Committee on Corrections and Juvenile Justice Oversight to the 2008 Kansas Legislature* ([Attachment 3](#)) and the written draft copy of the *Report of the Joint Committee on Corrections and Juvenile Justice Oversight to the 2009 Kansas Legislature* ([Attachment 4](#))

Ms. Andaya called the Committee attention to the draft copy for 2009 and reviewed the following conclusions and recommendations of the Joint Committee on Corrections and Juvenile Justice Oversight:

- The Committee discussed the current practice of providing sex offender programs and substance abuse programs to offenders when they are approaching their release dates. The lack of funding has required these programs to be offered shortly before the offender's release from prison. The Committee wanted to emphasize the importance of starting earlier in sex offender programming and the substance abuse programming in order to manage offenders better and reduce the recidivism rate. It was discussed that if these programs were started earlier, there would be less of a need to create new facilities to house offenders.
- Secretary Werholtz brought to the attention of the Committee the concern of systems and infrastructure that are worn out and outdated. The Committee concluded that this issue is a priority and is something which the Legislature should be made aware. Secretary Werholtz also requested that he be provided the means to complete the task of creating a treatment prison, not necessarily building a physical plant, but the support needed to build a program.

CONTINUATION SHEET

MINUTES OF THE House Corrections And Juvenile Justice Committee at 1:35 p.m. on January 13, 2009, in Room 535-N of the Capitol.

- The Committee heard from numerous conferees during its six meeting days that the Level of Services Inventory-Revised (LSI-R) is an extremely effective risk assessment tool. The Committee agrees that treating and placing offenders based on their risk to reoffend is more effective than basing the strategy on their length of sentence or severity of their crime of conviction. The Committee notes the potential savings from this use.
- The Committee would like to commend Commissioner Jennings, JJA, for his truthfulness in revealing problems to the Committee and for winning the 2008 Performance-based Standards Barbara Allen-Hagen Award. The Committee also commends Deputy Commissioner Pealer for pursuing programs that work in assessing juveniles.
- The Committee authorized the Chairperson of the Joint Committee on Corrections and Juvenile Justice Oversight to send a letter on its behalf to the Judicial Council for an in-depth study of issues caused by the opinion of the Kansas Supreme Court authorizing juvenile jury trials. The letter will request the Judicial Council to make recommendations on legislation needed to comprehensively implement juvenile jury trials in Kansas. The Committee encourages the Judicial Council to move quickly so the Legislature may review the recommendations during the Legislative session.
- The Committee recognizes that proportionality is a work in progress but endorses the efforts of the Proportionality Subcommittee of the Kansas Sentencing Commission in combining the drug and non-drug sentencing grids into one grid. The Committee encourages the introduction of such bill.

The Committee recommended the pre-filing of two bills based on the draft legislation provided by JJA. The first bill concerns the Court-ordered custody of juveniles to the Commissioner of Juvenile Justice, and the second bill concerns the implementation of the Interstate Juvenile Compact.

During the review of the report, Ms. Andaya stated that the Department of Corrections has eight correctional facilities which are listed below:

- El Dorado Correctional Facility
- Ellsworth Correctional Facility
- Larned Mental Health Correctional Facility
- Hutchinson Correctional Facility
- Lansing Correctional Facility
- Norton Correctional Facility
- Hutchinson Correctional Facility
- Topeka Correctional Facility

Upon the conclusion of Ms. Andaya's review, Chairperson Colloton called for questions or comments, being none, she adjourned the meeting at 2:20 p.m. with the next scheduled meeting being January 14, 2009 at 1:30 p.m. in room 535N.