



Joint Committee on Corrections and Juvenile Justice Testimony on Department of Corrections' Budget

October 26, 2021

Chair Jennings, Vice Chair Baumgardner, Ranking Member Highberger, and Members of the Committee,

I am Stuart Little, government relations advocate for the Kansas Community Corrections Association (KCCA). Community corrections agencies are thirty-one statutorily mandated programs, governed by community advisory boards and county commissions supervising both adult and juvenile offenders in your community. They provide cost-effective community-based supervision instead of prison for adult and juvenile offenders with lower severity level offenses (although the offenders are increasingly more severe and high-risk). The courts and sentencing guidelines and risk assessment determines whether an adult offender is assigned by the court to regular probation or intensive supervise probation with graduated sanctions in a community corrections program. Juveniles are sent to community corrections by district courts or intake and assessment for intensive supervised probation, case management, and prevention programs. Some agencies also serve as intake and assessment.

- The Kansas Community Corrections Act passed in 1978 to provide community-based alternatives to both incarceration and new prison construction.
- In 1988 Senate Bill 457 established a state funding base for local programs as well establishing supervision standards for the core programs (adult intensive supervision, adult residential care, or work release).
- In 1989, the Legislature mandated that all counties must participate in the act. Counties could develop single or multi-county groups, or contract for community corrections services from a participating county.
- Juvenile community-based services were added gradually at the local level and eventually at the state level during juvenile justice reform. The Legislature created the Juvenile Justice Authority in 1997 as a stand-alone state agency focused on prevention, intervention, and community-based services, while reducing incarceration. Prior to the JJA, juvenile justice functions were the responsibility of several state agencies, including the Office of Judicial Administration; the Department of Social and Rehabilitation Services (SRS), and KDOC. Governor Sam Brownback merged the JJA with the Kansas Department of Corrections on July 1, 2013.
- Since 2013, community corrections agencies funding and oversight have operated under the KDOC oversight and funding through operating grants and state contracted community-based services.

We have a few big picture issues impacting the provision of public safety services in your communities. However, today the other speakers will focus on our issue of primary importance.

- Senate Bill 367 Juvenile Justice Changes
 - We have experienced the transition due to passage of SB 367 in 2016 that eliminated most out-of-home placements, reformed juvenile criminal, diversion, and services options. The promised reduction of residential placements happened, but the shift of funding has not without stress and friction. While some community programs have been created or enhanced, the promised to shift of all funding to the community has not transpired.
 - Juvenile Evidence Based Practices Fund. During the 2021 legislative session, over the Governor's objections, the Legislature saved one-half of the fund balance of approximately \$44 million in savings from the closure of out-of-home placements in Senate Bill 367. The fund balance grew and was preserved to be used for community-based programs for youth and juveniles. There have been numerous efforts to shift or eliminate the funding and finally this year the Legislature saved \$21 million of the fund balance. Those funds need to be invested wisely with KDOC and stakeholder input and not left un-utilized as they did since 2016. Thank you for your efforts to preserve a portion of these funds.
- Adult Supervision Salary Issues.
 - The Kansas Community Corrections Association and the statutorily created Community Corrections Advisory Committee, and committee corrections agencies are working with KDOC to address possible increased funding for the adult community corrections grants to local units of government.
 - We support an increase in the community corrections grant funding for FY 2023 with additional funding to support inflationary costs and increased pay for employees. Increased funding would help address increased caseload sizes and turnover of personnel with little or no pay increases. Community Corrections agencies employees are county employees and are required to match county government human resources policies and cost mandates includes wages, health insurance, as well as all operational costs. Funding, however, comes from the State for most agencies and that funding has not kept pace with increased operating costs and inflation.
- Other issues.
 - Changes in criminal law that impact supervision population.
 - Changes and funding related to SB 123 Drug Treatment in-lieu of incarceration.
 - Issues related to juveniles in child welfare and criminal justice or foster care system.

I am happy to stand for questions at the appropriate time.