

Jeff Zmuda, Secretary

Laura Kelly, Governor

March 11, 2024

The Honorable Kellie Warren, Chairwoman  
Senate Judiciary Committee

RE: Senate Judiciary Committee Hearing, March 5, 2024

Dear Senator Warren,

Thank you for allowing the Kansas Department of Corrections to testify in support of HB2698 (allowing juveniles to leave the juvenile facility under certain circumstances) and HB2522 (documents that KDOC will provide residents upon release). During the hearing, some committee members asked questions for which we did not have the answers readily available. Please see below to provide additional information.

Regarding HB2698:

- We received a question about recidivism rates regarding residents who are allowed to take part in education and/or technical programs during their incarceration. The research that exists regarding recidivism for Kansas adult residents involved in education programs does not currently exist for the juvenile correctional facility; however, KDOC does still track recidivism for youth at the correctional facility. KDOC's FY23 Annual Report states that of the youth released from the facility in calendar year 2019 (This is the most recent recidivism data available to us), over 80 percent were successfully residing in the community after three years. For calendar year 2018, more than 72 percent of youth released that year were successfully residing in the community after three years.
- We received a question about the language other states that have similar programs for juveniles are using in their statutes, and we respectfully request additional time to provide information. Deputy Secretary Megan Milner has requested this information from the Council of Juvenile Justice Administrators. We will provide this information as soon as it becomes available.
- We received a question regarding who would get information regarding the resident and what information would they receive if the resident is allowed to depart the facility. Employers and educational institutions/instructors would be informed that the youth is a resident of the Kansas Juvenile Correctional Complex. KJCC will provide emergency contact information to the community-based provider. Specific details regarding offense(s) would not be released.
- There was some discussion regarding the potential need for amendments to clarify some of the bill language, particularly concerning KDOC policy and procedures related to HB2698. We welcome further discussion about potential amendments should those be needed in order to move the proposed legislation forward.

Regarding HB2522:

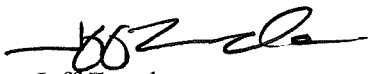
- We received a question about whether or not all residents are eligible for receiving the documents upon release. No, not all residents are eligible for all listed documentation based on individual situations and

circumstances as evaluated. For example, a resident may not be eligible for a Kansas identification card because the resident is not a Kansas citizen.

- We were asked if I, in my role as secretary, am comfortable deciding who gets social security cards upon release. Our position is that KDOC will not be making any decisions regarding which residents obtain social security cards. The language in the bill, as written, states that the Secretary will make “a reasonable effort to provide the inmate with such documentation” (lines 12-13). We interpret that to be that KDOC will assist all residents who wish to obtain a social security card with the resources they need to obtain one and assist with submission of that documentation to the Social Security Administration. The decision of whether or not to issue a social security card is ultimately the purview of the Social Security Administration and not KDOC.
- There also seemed to be some confusion related to the fiscal note associated with the bill. KDOC did have revisions to our original note submitted. For clarification, the final fiscal note is attached to this message.

Thank you for the opportunity to provide additional information. Please do not hesitate to contact me should you or any committee member have further questions.

Sincerely,



Jeff Zmuda  
Secretary, Department of Corrections