

HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE
Representative John Rubin, Chairman

KANSAS SENTENCING COMMISSION

Scott Schultz, Executive Director

February 11, 2013

Proponent Testimony

Thank you for the opportunity to present testimony in favor of this legislation on behalf of the Kansas Sentencing Commission (Commission). Pursuant to K. S. A. 74-9101(b)(15), the Commission is directed to identify and analyze the impact of specific options to reduce prison population, once the prison population projections indicate that the state's prison population will exceed capacity within two years, and upon request of the Corrections Secretary or the Legislature.

Pursuant to provisions of K.S.A. 21-4725, the Corrections Secretary has informed the Kansas Sentencing Commission that the number of KDOC inmates as of January 31, 2013, represented 99.9% of the overall capacity within the Kansas correctional system. On that date, there were 9,554 inmates with total capacity being 9,564 including 9,433 beds in KDOC facilities and 131 placements available to the Department in facilities operated by other agencies. Considering KDOC facilities only, the 9,434 inmates housed in these facilities on January 31, 2013, represented 100.0% of the capacity. Of the total inmate population, 8,825 were male and 729 were female. Total correctional system capacity for housing males is 8,769; for females, the capacity is 795. The January 31st inmate population represented 100.6% of capacity for males and 91.7% for females.

The Commission publishes annual adult prison population projections each year for KDOC. Unfortunately there appears no end in sight for the increase in prison population. The projections indicate that prison admissions will continue to outpace releases for the next 10-year forecast period, adding 2,114 new inmates over the current population. This represents a 22.6% increase in the adult prison population by 2022.

Since April 2012, the Commission has been closely associated with the Council of State Governments Justice Center. Many meetings have been held with Commission staff over the past year and much of the criminal data produced for the CSG analysis was provided

by the Commission. As a result, the same Commission priorities set forth in Attachment 1 readily align with the recommendations of CSG to the state that are included in the bill. The Commission has worked closely with Department of Corrections and other criminal justice stakeholders to craft options based on evidence-based practices that enhance public safety while being good stewards of taxpayer dollars. HB 2170 is a direct product of that working relationship.

Pursuant to K.S.A. 74-9101, the Kansas Sentencing Commission has analyzed policy options that would reduce prison beds currently in the system. Our obligation is clearly to provide you with alternatives to opening or building additional prison beds. These options, we believe, are data driven and the most rational approaches to public safety to maintain space requirements for the most serious offenders while seeking alternative methods to curb admissions. The attachment is a list of priorities established by the Commission to directly and indirectly accomplish this statutory charge. In describing the priorities, the document also identifies first and tenth year bed savings. These recommendations by the Commission have been incorporated into the bill.

Provided the language as set forth below and proposed in the balloon amendment offered by KDOC is recommended favorably by the Committee, the Commission would require one FTE position. The Commission concurs with this recommendation. This position is essential in monitoring the effectiveness of the legislation and would add to the Commission's statutory obligations in K.S.A. 2012 Supp. 74-9101(b).

The amendment provides:

(22) determine the impact and effectiveness of supervision and sanctions for felony offenders regarding recidivism and prison and community based supervision populations.

I appreciate your time and attention to the Kansas Sentencing Commission's testimony and I would be happy to answer questions. Thank you.