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House Corrections and Juvenile Justice Committee  
Testimony in Opposition to House Bill 2345

February 25, 2013

Chairman Rubin and Members of the Committee.

I appear today on behalf of the Kansas Community Corrections Association in opposition to House Bill 2345.

During the 2011 and 2012 legislative sessions, the Kansas Legislature passed two DUI bills that were the result of years of study and effort by many groups around the state to increase sanctions and penalties against drunk drivers.

A critical component of the bills was an expansion of services and supervision for the new 3<sup>rd</sup> and subsequent DUI offenders. The bills created new funding streams to provide funding to community corrections agencies that are charged with providing supervision for the highest risk DUI offenders. Community corrections agencies around the state receive the highest risk offenders based on the LSI-R and the court's determination. With these funds community corrections agencies supervise high-risk offenders likely to reoffend and go to prison

Increased funding for community corrections was a long debated and highly scrutinized process. There were years of hearings on the process and the needs for these high-risk offenders. The caseloads for community corrections supervised offenders are lower than court services for a reason: the offenders are higher risk, higher demand, and require more attention. That costs money. Two previous legislatures understood that fact and created these funds. Additionally, the Legislature recognized that Community Corrections funding had been cut in the past and that caseloads were already higher than they should have been when they designated Community Corrections as the recipient for the DUI supervision fund.

Clearly, court services has funding needs. At no point during the debate and passage of House Sub. for SB 6 in 2011 and debate and passage of House Sub. for SB 80 in 2012 did court services appear to request additional funding. Rather than proceed through the normal budget processes and the setting of budget priorities within the judicial branch, as they should, they have bypassed procedure, precedent, and process to try and convince you to take funding from Peter to pay Paul. The Department of Corrections and two prior Legislatures concluded they had the right conclusion and created these funds for the Department of Corrections. We request this committee upholds the decision to fund those with the highest risk and urge the court services to proceed through the proper process to determine funding issues for their budget.

I would be happy to answer questions at the appropriate time.