



Justice Center
THE COUNCIL OF STATE GOVERNMENTS

Justice Reinvestment in Kansas

HB 2275 Testimony

February 18, 2021

The Kansas Criminal Justice Reform Commission (KCJRC) has guided the CSG Justice Center analysis.

Based on the KCJRC goals, CSG Justice Center staff have explored ways to:

- **Divert more people charged with drug offenses to treatment and supervision.**
- **Improve supervision by focusing resources where they can be most effective.**
- **Expand access to reentry and employment support.**

Sustaining recent prison population reductions could save Kansas \$22 million in incarceration costs annually.



58% of prison admissions in FY19 were for supervision violations.



Approximately 20–25% of the community corrections population is on absconder status.



In FY19, 92 percent of revocations for women were due to condition violations, compared to 85 percent for men.

Cost estimates are based on the FY2019 and FY2020 year-end prison population and the FY2019 operating cost expenditures per inmate for KDOC facilities.

Source: Kansas Department of Corrections, *Fiscal Year 2019 Annual Report* (Topeka, KS: Kansas Department of Corrections, 2020); "End of Month Inmate Population: FY 2020 To Date (June 2020)," Kansas Department of Corrections, accessed August 5, 2020, <https://www.doc.ks.gov/publications/population/eom>.

CSG Justice Center analysis of KDOC prison admission data, May 2020; CSG Justice Center analysis of Kansas Sentencing Commission probation revocation hearings data, August 2020; CSG Justice Center analysis of Kansas Department of Corrections Statistical Summary FY2019 of Community Corrections Adult Offender Population.

CSG Justice Center analysis of KDOC prison admission data, August 2020.

Reduce revocations through multiple targeted approaches.

HB 2275 – Ensuring robust sanctions and incentives are available to respond to behaviors on supervision.

- ✓ KDOC implementing the 4:1 Behavior Management System which will extend to Community Corrections

Support interagency collaboration to leverage resources to promote success on supervision and reductions in recidivism.

- ✓ Access to programming for all people assessed as high risk and high need
Develop a statewide coordinated effort to allow people supervised by one agency to receive programming facilitated by another agency.
- ✓ Re-Engagement Unit
Develop an interagency re-engagement unit that targets people who fail to report, are on absconder status, or at risk of revocation to become connected to resources and successfully re-engaged in supervision.

Policy strategies balance public safety and accountability with recidivism mitigation strategies, using the least restrictive option within a system of graduated sanctions is best practice.

Pretrial detention:
More than 1 day



Failure-to-appear rates for low-risk people



Recidivism for low- and moderate-risk people

Community-Based Sanctions
vs.
Jail Sanctions

Both have the same:

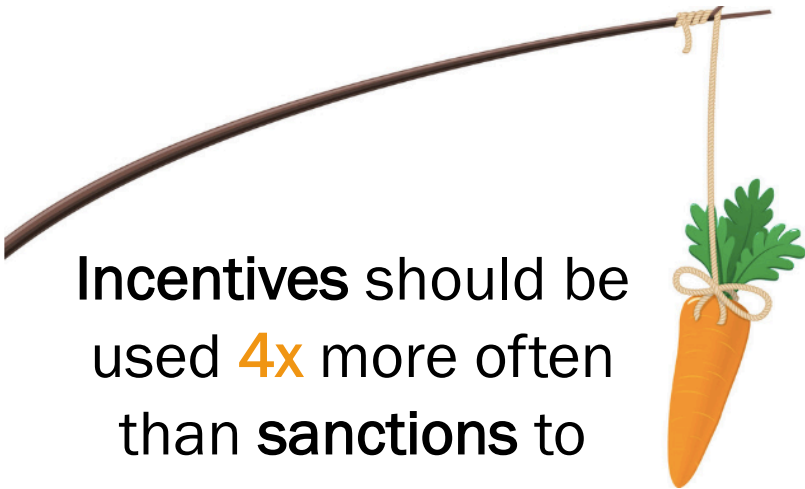
- ✓ Time to next violation
- ✓ # of subsequent violations
- ✓ Likelihood of successful completion of supervision

Prison:
Not proven to reduce
recidivism

- Increasing severity of punishment does little to deter crime
- Certainty of being caught is more powerful deterrent than punishment
- Prison may exacerbate recidivism

Teaching skills and using incentives are as important as accountability.

Incentives should be used **4x** more often than **sanctions** to promote and sustain behavior change.



- Imposed rewards and sanctions must be meaningful to the person receiving them.
- Punishment STOPS behavior but doesn't replace it with appropriate behavior.
- It is important to reinforce desired behaviors so those continue after punishment discourages undesired behavior.
- Skills and strategies learned in treatment should be reinforced by supervision staff.

There are multiple benefits of a structured system of responding to behaviors.

- ✓ Minimal ongoing costs
- ✓ Decline in revocations for technical violations
- ✓ Increased consistency with structured discretion
- ✓ Ensures an array of services and options are available and utilized
- ✓ Ensures responses are proportional to behavior

Thank You!

Join our distribution list to receive updates and announcements:

www.csgjusticecenter.org/subscribe

Justice Reinvestment Contact:

Patrick Armstrong parmstrong@csg.org

The presentation was developed by members of The Council of State Governments Justice Center staff. The statements made reflect the views of the authors, and should not be considered the official position of The Council of State Governments Justice Center, the members of The Council of State Governments, or the funding agency supporting the work.

© 2020 The Council of State Governments Justice Center

