

MINUTES

JOINT COMMITTEE ON CORRECTIONS AND JUVENILE JUSTICE OVERSIGHT

September 21-22, 2006
Room 514-S—Statehouse

Members Present

Senator Pete Brungardt, Chairman
Representative Bill Light, Vice-Chairman
Senator Greta Goodwin, Ranking Minority Member
Representative Doug Gatewood, Ranking Minority Member
Senator Karin Brownlee
Senator David Haley
Senator Phil Journey
Senator Kay O'Connor
Representative Kathe Decker
Representative Jan Pauls
Representative Dale Swenson
Representative Jim Ward

Members Absent

Senator Jean Schodorf
Representative Shari Weber

Staff Present

Reagan Cussimanio, Kansas Legislative Research Department
Athena Andaya, Kansas Legislative Research Department
Jerry Donaldson, Kansas Legislative Research Department
Michael Steiner, Kansas Legislative Research Department
Helen Pedigo, Revisor of Statutes Office
Jill Wolters, Revisor of Statutes Office
Deb O'Neil, Committee Secretary

Conferees

Kathy Porter, Judicial Branch
Patricia Biggs, Executive Director, Kansas Sentencing Commission
Sister Bernia Williams-Kelly, CEO, Woman to Woman PRC, Inc.
Reverend Tom Bevard, Freedom Ministries of Kansas, Inc.

Mike Nichols, Detox Coordinator/Interim Coordinator Department of Corrections Salvation Army
Shield of Service, Kansas City
Don Raymond, Director, InnerChange Freedom Initiative
Eric Klein, Participant, InnerChange Freedom Initiative
Rodney Woods, Participant, InnerChange Freedom Initiative
Chris Hauck, Volunteer, InnerChange Freedom Initiative
Bob King, Past Chairperson, Kansas Chapter, Kairos Torch
Keven Pellant, Deputy Secretary, Kansas Department of Corrections
Heather Morgan, Director of Legislative Affairs, Juvenile Justice Authority
Amy Smith, Superintendent, Atchison Juvenile Correctional Facility
Anna Roper, Volunteer, Benedictine College
Cheryl Rathbun, Vice-President Clinical Services, St. Francis Academy
Chad Johnson, Spiritual Life Coordinator, TLC
Fred Craig, Chaplain, Kansas Juvenile Correctional Complex
Paul Beck, Chairperson, Advisory Council for Kansas Kairos Torch
Justin Jones, Director, Oklahoma Department of Corrections
Roger Werholtz, Secretary, Kansas Department of Corrections
Carl Hill, Chief of Staff, Kansas Association of Public Employees
Sheila Lampe, Chairperson, Sunflower Solutions
Frank Smith, Volunteer Field Organizer of the Private Corrections Institute

Written Testimony/Letters

Judge Stephen Tatum
Sister Therese Bangert

Thursday, September 21 Morning Session

Senator Pete Brungardt called the meeting to order at 10:15 a.m. He stated the August meeting had raised two issues: inconsistencies with journal entries and issues with sentencing. Senator Brungardt asked Kathy Porter to address those issues.

Kathy Porter, Judicial Branch, stated that Jennifer Keating, Johnson County Parole Officer, had made two statements at the last meeting that required further examination. The first statement was with respect to journal entries for fourth and subsequent DUI convictions. The second statement identified that on some occasions, judges were sentencing offenders to both probation and parole. Ms. Porter contacted Chief Judge Steve Tatum, 10th Judicial District, Johnson County, as Ms. Keating's testimony was the first time the Judicial Branch heard of any problems. By statute, offenders with fourth and subsequent DUIs are placed under the control of the sheriff and from there they go to the Department of Corrections (DOC). Journal entries were not being provided to the Sheriff where their time is served in the local facility. With respect to the second issue, the purpose of sentencing offenders to probation and parole was to get an offender into the treatment necessary at a facility in Johnson County while allowing the judge to remain active in the offender's case. According to an Attorney General's opinion, parole trumps probation, so those people will now go on parole after serving jail time. Judge Stephen R. Tatum presented a letter to the Committee (Attachment 1).

Senator Brungardt also directed the attention of the Committee to a memorandum from Patricia Biggs, Executive Director, Kansas Sentencing Commission, regarding reimbursement issues with Johnson County Therapeutic Community. The Sentencing Commission reported it is not receiving any offender reimbursement for those offenders receiving 2003 SB 123 treatment at Johnson County Therapeutic Community due to a special condition added to the FY 2006 Byrne grant award that prevented the use of JAG grant funds to treat criminal offenders eligible for treatment under 2003 SB 123 ([Attachment 2](#)).

Kansas Adult Inmate Prison Population Projections

Patti Biggs, Executive Director, Kansas Sentencing Commission, provided the Committee with a report on new commitment admission characteristics for Fiscal Year 2006, prison population characteristics as of June 30, 2006, as well as various comparisons and admission trends over the past ten years. Ms. Biggs also covered actual and projected adult prison population trends over the next ten years ([Attachment 3](#)).

Overview of Adult Faith-Based Programs

Sister Bernia Williams-Kelly, CEO, Woman-to-Woman PRC, Inc., shared the vision of her organization. Sister Williams-Kelly said that since 1980 the number of women in prison has increased at double the rate of men. Woman-to-Woman is a faith-based entity that works with women, pre- and post-release, from Topeka Correctional Facility and Sedgwick County Jail. They begin the reintegration process before release, working with other agencies and organizations throughout the state to assist with housing, clothing, computer skills, life skills, and employment. Sister Williams-Kelly stated her ministry is self supported ([Attachment 4](#)). Governor Sebelius presented the Committee with a letter [Attachment 5](#)).

Representative Jan Pauls mentioned that she had called the office of the Secretary of Corrections to get current prison population. The current population as of September 20, 2006, was 8,954, with an administrative population (capacity number) of 9,397, understanding that the mix of types of prisoners might affect the capacity differently.

Reverend Tom Bevard, Freedom Ministries of Kansas, Inc., addressed the Committee regarding the programs at Larned and Hutchinson Correctional Facility, which are Project Set Free and Freedom Challenge respectively. Project Set Free has been in existence for approximately three years with an average of 30-35 participants. Hutchinson Correctional Facility contacted Freedom Ministries who partnered with Teen Challenge to create Freedom Challenge. According to Reverend Bevard, the ministry is having great success. Reverend Bevard is an Assemblies of God missionary. However, several different churches support his ministry in the correctional facilities ([Attachments 6 and 7](#)).

Mike Nichols, Detox Coordinator/Interim Coordinator, Department of Corrections (DOC) Salvation Army Shield of Service (SOS), Kansas City, Kansas, oversees the DOC reintegration program at SOS. Mr. Nichols, previously in prison himself, was able to successfully reintegrate after release because he had the support of a church and the Salvation Army. Because of his personal history, Mr. Nichols assured the Committee that felons are not irredeemable, and can be helped with the proper programs and funding. However, he feels the current reintegration programs are not working well in Kansas.

Mr. Nichols raised concerns about some of the contract bed issues because parole officers send offenders back to the Salvation Army Shield of Service program when the offender has previously refused to obey rules set by the program. Non-compliance becomes irrelevant and, in turn, creates an environment where those who run the program have no control.

Mr. Nichols then shared an idea to restructure the per diem policy where the men would be charged a specified amount each week, which would be subsidized by the DOC. Credit would be applied to the cost of the per diem rate to offenders for taking certain classes, such as job skills training and anger management. The DOC contribution would then decrease fifty percent at the end of a 30-90 day review period and twenty percent after another 30-90 days (Attachment 8).

Afternoon Session

Overview of Faith-Based Programs (continued)

Don Raymond, Director, InnerChange Freedom Initiative (IFI) at Ellsworth Correctional Facility, shared the "Core Values" of InnerChange – integrity, restoration, responsibility, fellowship, affirmation, and productivity. Mr. Raymond stated that relationships, as well as trust and self-worth are key points at InnerChange. IFI takes an active role in the reentry and success of members upon their release. Mr. Raymond covered various statistics of IFI participants (Attachment 9).

Eric Klein and Rodney Woods, participants in InnerChange Freedom Initiative, shared their personal experiences with the InnerChange Freedom Initiative. They stated that fellowship, trust, and drawing from the integrity and character of counselors and volunteers were the things that most affected the changes in their lives. Having completed the InnerChange program, both Mr. Klein and Mr. Woods are now productive members of the facility.

Chris Hauck, Volunteer, InnerChange Freedom Initiative, is the retired President and CEO of Sunflower Electric in Hays, Kansas. In 1999, Mr. Hauck and his wife were asked to come to Winfield (the location of IFI at the time) and recruit for the IFI program. There have been approximately 2,000 men participate in the Sunday evening meetings. There also is a Wednesday meeting where inmates receive mentoring and participate in Bible study classes. Mr. Hauck stated that there are thousands of volunteers involved in prison and jail ministries.

Bob King, past Chairperson, Kansas Chapter, Kairos Torch, told the Committee that Kairos Prison Ministry International (KPMI) is headquartered in Florida, and is comprised of several different programs including the Men's and Women's Ministry, Kairos Outside and Kairos Torch. Mr. King explained each of the programs, stating that Kairos is a Christian ecumenical, lay-led volunteer ministry with over 20,000 volunteers worldwide. Kairos Inside is an adult program currently in Hutchinson, El Dorado and Topeka facilities. Kairos Outside, currently in two locations, is the newest program for female "significant others" of those incarcerated. Inmates participate to some degree in the Kairos Outside weekends. A weekend costs approximately \$5,000, funded primarily by volunteers and other private donations. Mr. King distributed a fact sheet to Committee Members (Attachment 10).

Keven Pellant, Deputy Secretary, Department of Corrections, addressed the Committee in regard to contract bed issues raised by the Salvation Army earlier. The first issue raised dealt with some of the offenders placed at the Salvation Army Shield of Service (SOS) who become

unresponsive or unwilling to work with the program and are removed from SOS only to be sent back by the parole officer. The second issue Ms. Pellant addressed was offenders being allowed to remain in the public rather than being sent back to prison when they test positive for drugs.

According to Ms. Pellant, DOC contracts with SOS for housing when offenders are released from prison since offenders on the street, with no place to go, create a public risk. SOS has a good program for those ready to change, but not everyone is ready to change. Additionally, a positive UA does occur on occasion. After a positive UA, the parole officer discusses treatment plans and contacts the local Regional Alcohol and Drug Assessment Center (RADAC) to set up an assessment, if needed. This could take 2-3 weeks. The challenge is managing the offender in a structured environment that allows DOC to know their whereabouts. Trying to keep them sober and clean also is a challenge under these circumstances. Ms. Pellant stated that SOS can be a wonderful partner in this, but when SOS gives up, this creates a greater challenge. SOS's rejection of an offender results in relocation for housing purposes, and if other housing is unavailable, the DOC will be send the offender back. DOC will continue to place the offender as long as they are willing to try. When the offender is no longer willing to try, revocation occurs.

Overview of Juvenile Faith-Based Programs

Heather Morgan, Director of Legislative Affairs, Juvenile Justice Authority (JJA), gave a brief overview of the availability of faith-based programming in Kansas juvenile facilities. Some facilities have full-time chaplains while others do not. JJA has found that faith-based programs have helped some youth get back on the right track, get involved, and make their move back into their communities more positive.

Amy Smith, Superintendent, Atchison Juvenile Correctional Facility (AJCF), stated that the faith-based programs offered at Atchison Juvenile Correctional Facility are solely dependent on volunteers. Among the volunteers are the local Ministerial Alliance, students and clergy from Benedictine College, youth ministers and members of various denominations and organizations from areas such as St. Marys, Hiawatha, and Leavenworth. Many types of worship and teaching services are available to the youth in the facility on a voluntary basis. There may be educational opportunities also available ([Attachment 11](#)).

Anna Roper, Volunteer, Benedictine College, provided an overview of what Benedictine student volunteers do in their meetings. Included are mentoring, educational instruction, and spiritual instruction. Benedictine students talk to the juveniles about goals and the future, being careful not to focus on the past. Specifically, they hope to accomplish behavior management, to build relationships, to love and care for the juveniles, to challenge them, and to help them grow.

Cheryl Rathbun, Vice-President, Clinical Services, St. Francis Academy, told the Committee that she had been with St. Francis Academy for 28 years with 22 of those years at Ellsworth. Clinical services at St. Francis Academy focus on four key aspects of health and well-being of the clients as well as their families. They work on emotional, physical, mental, and spiritual well-being. Chaplains play a key role in this. There is a focus on improving the sense of self by teaching effective communication, how to listen well to others and seeking out others with similar beliefs. Clients are encouraged to name it (admit what they have done), claim it (accept responsibility for actions) and tame it. A fact sheet on programs and facilities was provided to the Committee ([Attachments 12 and 13](#)).

Chad Johnson, Spiritual Life Coordinator, TLC, explained that TLC is not faith-based. However, understanding the need for spiritual input, chaplaincy services have been added to their program. Mr. Johnson gave an overview of the philosophy of the TLC Spiritual Care Program, listing seven areas chaplaincy services offers for spiritual exploration. The seven areas are spiritual wellness assessments, pastoral care, worship experiences, Saturday night youth group, spiritual wellness groups, liaison for faith groups, and spiritual care to TLC and TLC Staff ([Attachment 14](#)).

Fred Craig, Chaplain, Kansas Juvenile Correctional Complex (KJCC), stated that volunteers are key to a viable chaplaincy program. There are 113 volunteers cleared by security for KJCC, with 70 currently being active. Forty of those are weekly volunteers, 30 are one-on-one mentors. One of the programs at KJCC helps juveniles deal with death through loss and grief groups. Chaplain Craig gave several illustrations of young men participating in chaplain services. He shared that a great program for "listening" is the Kairos Torch Program. Furthermore, of the 226 young men who started, none have dropped out. Volunteers for the Kairos Torch Weekend are required to go through 20-40 hours of training prior to the weekend. Chaplain Craig believes arts and music need to be added to the programming for juveniles. He also is concerned about vocational training because he believes this affects recidivism.

Paul Beck, Chairperson, Advisory Council for Kansas Kairos Torch, stated they invite all to a relationship with Jesus Christ, put human lives in service, and help transform individuals, as well as the prison environment itself. In this program, "Family Tables", consisting of four participants and two volunteers at each Family Table, participate in talks with a discussion following. The first talk is called "get real," dealing with six masks including, the "religious" mask, the "I don't need anyone" mask, the "victims" mask, and the "anger" mask. The next talk tells the juveniles that they are not alone, and teaches about God's unconditional love (Agape). Additional talks deal with such topics as trust, tearing down walls they have built around themselves, and choices. Dealing with these masks is an important step for the forgiveness exercise that comes later. Between the talks, a guide is helping participants make a list of whom they need to forgive, and then a "forgiveness ceremony" is held. Then comes six months of mentoring where the group addresses goals, internal/external anger, and spiritual matters. Mr. Beck acknowledged that the program was developed for adults but has been modified to meet the needs of juveniles ([Attachment 15](#)).

Friday, September 1

Overview of Private Prisons

Justin Jones, Director, Oklahoma Department of Corrections, discussed issues with privatization of prisons. Mr. Jones stated that Oklahoma has numerous medium and maximum private prison operations. Furthermore, the building of private prisons was not need based, but for financial reasons. Currently, Oklahoma has six prisons representing three companies. In those privatized facilities are 7,000 inmates, including 4,700 inmates from Oklahoma, 95 from Vermont, 442 from Wyoming, 747 from Hawaii, approximately 1,200 from Arizona, with Colorado purchasing the remaining beds. According to Mr. Jones, only five states have a lower per diem rate than Oklahoma because they continue to grow their prison industries to keep costs down. One of their largest industries is a farming and agriculture industry.

Mr. Jones raised several issues to be considered before choosing private prisons. Considerations raised included:

- Whether the citizens of the State of Kansas are comfortable with companies making money on the incarceration of prisoners;
- Determining why private prisons are being considered (overcrowding, economics, sentencing projections); and
- Whether the cost of private prisons are, in fact, less expensive.

He also encouraged studying financial issues closely as the private prison industry is not a cost savings for Oklahoma. Other issues included:

- What performance standards will be used to measure outcomes (*i.e.* what do you hold your current state agencies responsible for and how do you measure that with a private contractor?);
- Who will oversee private prisons; and
- Where will the funds come from for funding that oversight.

In addition, Mr. Jones suggested the state consider setting a cap to prevent over-leveraging, tying the consumer price index into the limitations of the ceilings on the increases of per diem rates, and utilizing three-way contracts to monitor out-of-state inmates housed in private prisons in the state. Another consideration is where the responsibility lies for investigating homicides, riots, civil rights violations, and other issues. for out of state inmates.

From an employment perspective, the state must consider that state employees, who are regarded as part of the future succession plan for the state, may leave to go into the private sector due to better pay. Private prisons have a tendency to pay higher at the high-end and underpay at the low-end.

Mr. Jones also identified idleness as a major issue with contractors. According to him, inmates do not always have the programming needed to keep them occupied, resulting in behavioral issues such as fighting. Placing industry operations in private prisons help with that issue. Mr. Jones also encouraged looking closely at recidivism and public safety issues.

Public information is an issue in these types of arrangements because a contractor cannot be forced to release public information to the media. Therefore, strict guidelines are necessary. Contractual arrangements should establish fines for certain actions or failures to act, such as failure to pay inmates, unauthorized releases, medical failures, and inmate deaths. Mr. Jones also pointed out a significant difference between the use of force in a state facility, and a private prison with private prisons using more chemical agents and more excessive force.

In addition, Mr. Jones stressed that the Committee should look at how it would affect the State of Kansas if prisons were privatized and inmates from other states were housed in those prisons and paying a higher per diem rate. He encouraged looking at the long term investment and considering the payout of privatizing prisons. Mr. Jones also mentioned that geriatric issues become a major factor over time. He commented that privatization of prisons causes corrections to become more politicized than it already is, sometimes affecting funding issues.

Roger Werholtz, Secretary, Department of Corrections (DOC), stated that he would not speak to private prisons but to context. In that light, he shared graphs reflecting population projections for 2007, 50 percent reduction in parole revocations with 2006 legislation, and 50 percent reduction in Community Corrections, probation, and parole revocations with 2006 legislation. The Secretary maintained that if we were able to get down to 50 percent reduction in parole revocations and sustain it that would only be moving out the capacity problem perhaps one year. Under any scenario, we are talking about expanding prisons ([Attachment 16](#)).

Secretary Werholtz stated that DOC has met the 50 percent reduction in parole revocations that Senator Brownback suggested. However, they have not demonstrated that reduction is sustainable and will watch this closely over the next year ([Attachment 17](#)). DOC will continue to work with parolees to get them to comply on their own. With regard to staff, retraining is key but other tools must be provided to parole officers. Therefore, DOC has requested additional funding for community correction programs. Secretary Werholtz stated that in order to be successful, they must provide the tools and training necessary to continue to achieve and maintain the 50 percent reduction.

Secretary Werholtz provided the Committee with several options for prison expansion within the state. The handout displayed construction and operating costs for each of the three options (Secretary Werholtz agreed to get principal and interest costs to the Committee). Some of the options contain the same components, but the sequence varies as to how the options are brought on line ([Attachment 18](#)). The Secretary stated that it is necessary to staff the prisons according to the layout of the building rather than to the number of inmates housed. Maximum security inmates are not double bunked, requiring twice as many cell houses for the same number of people. According to Secretary Werholtz, Lansing and Hutchinson will be safer if they remove maximum security inmates. Expanded costs to increase community corrections are not included in the construction option numbers.

There are renovation and repair costs that have been systematically postponed. These issues can no longer be delayed. In some circumstances, while making the repairs, some beds will have to be taken off line and the inmates housed elsewhere.

Secretary Werholtz mentioned a possible bond issue that would allow DOC to deal with all of the proposed projects within the next three years. Actual bond costs or current debt service is declining. If the Legislature appropriated sufficient funds for DOC to maintain a \$5.5 million level of debt service, DOC would have enough additional funds to pay off the attached proposed \$21.8 million bond issue ([Attachment 19](#)).

It is possible to bring enough capacity on line to carry through until it is time to start funding the construction of a variety of other projects. In the opinion of Secretary Werholtz, all of this can be done without a private prison, but it cannot be done without the construction of a new facility of some sort. The facility could come on line possibly six months earlier with a private vendor, but there are problems with that scenario as outlined by Mr. Jones from the Oklahoma Department of Corrections.

Carl Hill, Chief of Staff, Kansas Association of Public Employees (KAPE), stated the opposition of KAPE to the operation of private prisons in Kansas. Some of the concerns with private prisons included a loss of accountability to Kansas residents, lack of proper training for personnel in private prisons, the focus on bottom line profit, higher instances of prisoner abuse, and a higher percentage of escapes. KAPE offered two possible solutions. First, the Legislature revisiting sentencing guidelines to ensure the punishment fits the crime; and second, to add on to existing facilities to meet present needs and expected trends ([Attachment 20](#)).

Sheila Lampe, Chairperson, Sunflower Solutions, a Private Prison Task Force, spoke to the Committee in support of private prisons. Ms. Lampe stated that the Task Force strongly supports the introduction of a private prison in Woodson County. Sunflower Solutions has studied the issues involved for the last twenty-two years and says the citizens of Yates Center are ready and waiting to vote on the issue. Ms. Lampe addressed several past and current issues (Attachments 21 and 22).

Frank Smith, Volunteer Field Organizer of the Private Corrections Institute, presented the Committee with an assortment of information opposing private prisons. Included in the information was a comparison of escapes in private prisons versus California DOC escapes, articles refuting that private prisons are good for economic development, articles raising quality concerns, charts, and comparisons dealing with taxpayer savings, as well as articles on a variety of other subjects (Attachment 23).

Sister Therese Bangert, Kansas Catholic Conference, Public Policy Office of the Catholic Church in Kansas, presented written testimony on the subject of private prisons. Sister Bangert shared that the United States Conference of Catholic Bishops (USCCB) released a statement in December 2000 in which the bishops addressed the private prison issue. The bishops questioned that a "for-profit" corporation could effectively run a prison, because it was felt the profit motive would "lead to reduced efforts to change behaviors, treat substance abuse, and offer skills necessary for reintegration into the community" (Attachment 24).

Committee Discussion of Privatization of Prisons

Senator Brungardt directed the discussion to the annual obligation of the Committee, recommending to the Legislature a position on private prisons versus state run prisons. For the last two years the Committee has decided, for a variety of reasons, that private prisons were not in the best interest of the state. The Committee was asked to consider the stance the Committee had traditionally held and determine whether to change it or maintain the same position.

Representative Jan Pauls stated that testimony continues to emphasize the need for the state to maintain control of Kansas prisons. Additionally, Representative Pauls felt that plans for building a new prison by the state would need to be addressed as soon as possible.

Representative Pauls made a motion that the Committee continue with the past position of opposition to private prisons and support a new facility to be built by the State. The motion was seconded by Representative Dale Swenson. Discussion followed.

Senator Greta Goodwin stated that past discussion, as well as testimony from Justin Jones, Director, Oklahoma Department of Corrections, solidifies her stance agreeing with the past position of the Committee in regard to private prisons. The problems shared by Director Jones, especially the fact that having private prisons in Oklahoma requires him to write a \$10 million check each month, reinforces opposition of private prisons. She also stated that money out of the State General Fund should be going to Kansas correctional facilities that the Legislature has control over. Additionally, when Mr. Jones was asked if Oklahoma would pass legislation to allow private prisons again, he said probably not.

Senator Kay O'Connor opposed the motion because she believes the State of Kansas can write legislation to correct the problems mentioned. Senator O'Connor thinks that competition is good, and if a number of counties are interested, private prisons should be considered.

Reagan Cussimanio presented a copy of the 2006 SB 243, a private prison bill as passed by the Senate. The bill died in the House (Attachment 25).

Representative Kathe Decker agreed with Senator O'Connor that some of the problems can be corrected. There is going to be a need according to Secretary Werholtz. Representative Decker feels the Committee should just state that there is a need and reflect in the report that the Committee heard concerns from Oklahoma and heard some "horror stories." In addition, if this is carried forward, these issues need to be addressed, but the Committee should not recommend private or state prisons. That way, the problems and the need for increased capacity are on record.

Senator Brungardt agreed that it was the Interim Committee function, to take in information, examine it and present it fairly for the whole Legislature to assimilate. Before any of this happens, Senate Ways and Means and House Appropriations will try to deal with some of the hard questions. From the standpoint of the Committee, the focus is on corrections and the control and orderly public policy issues.

Representative Doug Gatewood noted that we need to say SEK, Inc. supports the proposal presented by Sheila Lampe, rather than saying the counties support it as the written testimony does not specifically indicate all counties support the proposal.

Senator Goodwin stated that she does not see the private prison industry as a viable economic development issue. However, if this is to be used as an economic development tool, she would like to see more counties presenting proposals.

Senator David Haley said that he was very taken by a statement made in the testimony which he read, "A prisoner is a person with inherent God-given human dignity. When prisoners become units from which profit is derived, there is a tendency to see them as commodities rather than as children of God. Our troubled times have taught us that once people are de-humanized they are more liable to be exploited, abused, violated, and become more violent themselves". Senator Haley stated that our great state does not capitalize on human misery. His concern in debating economic development is the moral issue raised by this and other issues such as gambling. He desires to be consistent. Senator Haley will continue to support the motion on the floor.

Senator Karin Brownlee indicated that the bond sheet was very informative and would be helpful in the Committee report. Senator Brungardt agreed, and stated as well that it should be noted that DOC has been very restrained in what it has requested in the last few years in light of its needs.

Senator Pete Brungardt returned to the motion, with Senator Haley requesting clarification of the motion. Representative Pauls clarified that the "new facility to be built by the state" could be interpreted to refer to either a new facility or new units at an existing facility, which has been the stance of the Committee in the past.

The motion carried, with Representative Kathe Decker, Senator Karin Brownlee, and Senator Kay O'Connor opposing.

Minutes from the last meeting were approved as corrected.

The meeting was adjourned until October 12, 2006 at 10:00 a.m.

Prepared by Deb O'Neil
Edited by Reagan Cussimanio

Approved by Committee on:

November 3, 2006
(date)