Justice Center
THE COUNCIL OF STATE GOVERNMENTS

Justice Reinvestment in Kansas

Update to the Criminal Justice Reform Commission

October 12, 2020

Presentation Overview

1 Justice Reinvestment in Kansas

2 Current Challenges

3 Subcommittee Updates

4 Next Steps

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Justice Center

THE COUNCIL OF STATE GOVERNMENTS

We are a national nonprofit, nonpartisan organization that combines the power of a membership association, serving state officials in all three branches of government, with policy and research expertise to develop strategies that increase public safety and strengthen communities.

How We Work

- We bring people together
- We drive the criminal justice field toward with original research
- We build momentum for policy change
- We provide expert assistance

Our Goals

- Break the cycle of incarceration
- Advance health, opportunity, and equity
- Use data to improved safety and justice

What is Justice Reinvestment?

A data-driven approach to improve public safety, reduce corrections and related criminal justice spending, and reinvest savings in strategies that can decrease crime and reduce recidivism.

The Justice Reinvestment Initiative is funded principally by the U.S. Department of Justice's Bureau of Justice Assistance (BJA) with additional funding from The Pew Charitable Trusts.

Technical assistance for states participating in the Justice Reinvestment Initiative is provided by the CSG Justice Center and Community Resources for Justice's Crime and Justice Institute.

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

Based on the KCJRC goals, CSG Justice Center staff have requested data for the Justice Reinvestment Initiative to begin exploring ways to

- Prioritize prison for people who pose a threat to public safety by managing expensive prison population growth/pressure;
- Increase support for victims of crime;
- Strengthen community supervision and resources to change behavior and reduce recidivism/revocations; and
- Break the cycle of recidivism by ensuring that criminal justice system practitioners have the resources they need in facilities and in the community to help people succeed, including access to mental health/substance use treatment, and employment/housing support.

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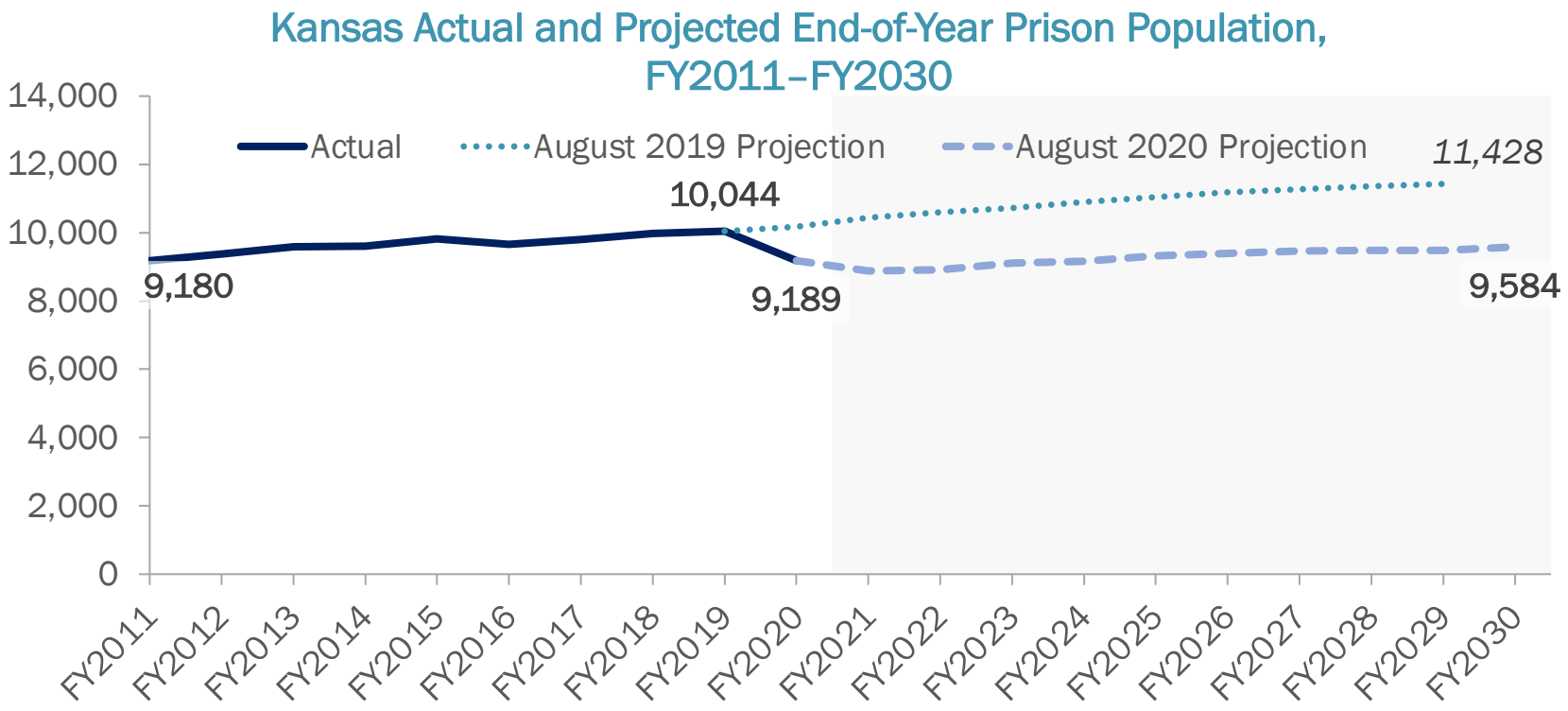
Like many states, Kansas is engaging in critical conversations about the efficiency and effectiveness of its criminal justice system given the projected budget deficits.

"Kansas is facing a projected 8.1% shortfall in its next state budget after a new fiscal forecast slashed projections for expected tax collections over the next 15 months by nearly $1.37 billion."
--Associated Press

The state is facing an unprecedented budget deficit and must prioritize corrections investments that work to **reduce recidivism and maintain public safety.**

John Hanna, "Kansas Faces $653M Shortfall After Tax Projections Slashed;" Newspaper icon by IconsGhost from the Noun Project.

Prison population projections have changed based on the reduced population in 2020, with KDOC at 82 percent of capacity.



Kansas Sentencing Commission, Fiscal Year 2020 Adult Inmate Prison Population Projections (Topeka, KS: Kansas Sentencing Commission, 2019); Kansas Sentencing Commission, Fiscal Year 2021 Adult Inmate Prison Population Projections (Topeka, KS: Kansas Sentencing Commission, 2020); 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.

Sustaining recent prison population reductions could save the state $22 million in incarceration costs annually.

Maintaining public safety and permanently interrupting cycles of recidivism must drive decisions to sustain the reduced number of people who are incarcerated in Kansas.

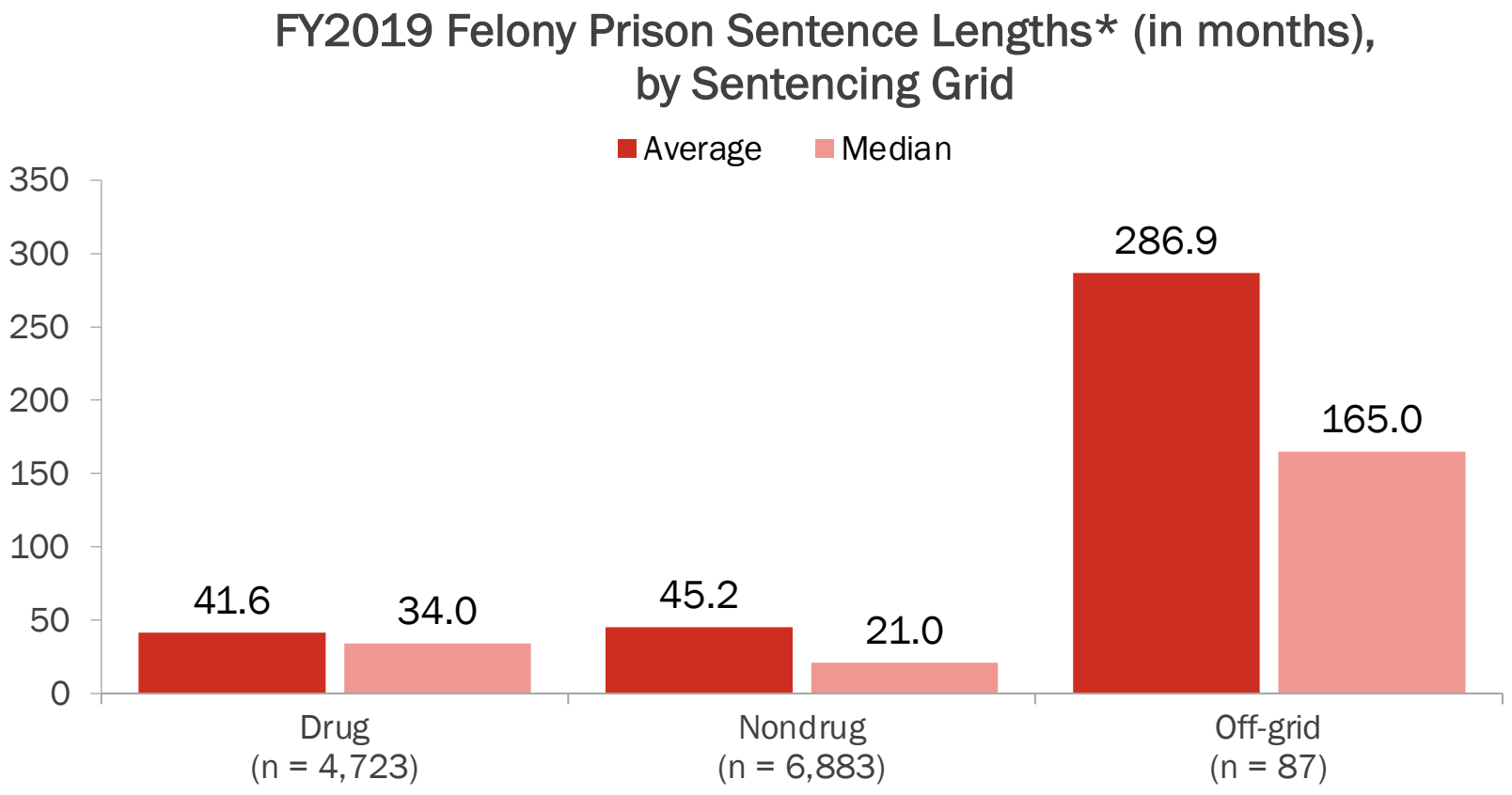
Cost estimates are based on the FY2019 and FY2020 year-end prison population and the FY2019 operating cost expenditures per inmate for KDOC facilities.

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.

During the September presentation, the following analyses on revocation, drug offenses, and geographical variation were discussed:

- Of all admissions to prison for drug offenses in FY2019, 27 percent were for people with no prior felonies.
- The number of people in prison for drug offenses has increased 3–4 times more than the number of people in prison for other types of offenses.
- The number of women in prison for drug offenses doubled between FY2010 and FY2019.
- There are counties that sent over half of all their felony cases to prison. In 2019, over 400 people went to prison from these counties.

Off-grid sentences to prison average 24 years in length, or over 2,000 bed years in a single year of sentencing for the most serious crimes.



For drug and nondrug grids,

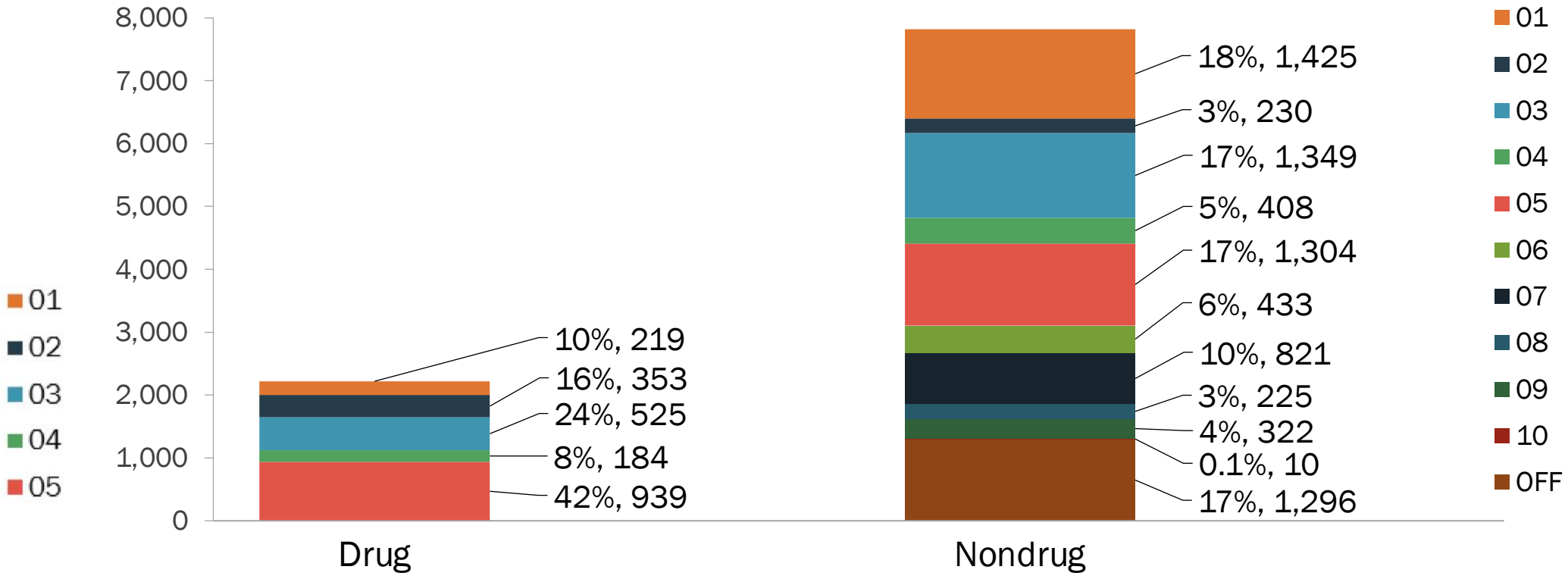
- Sentences to prison are about 3.5 years, on average.
- Sentences to probation are about 1.5 years, on average.

**Excludes 70 off-grid life sentences, one non-drug grid life sentence, and one non-drug sentence missing sentence length information.*

CSG Justice Center analysis of Kansas Sentencing Commission felony sentencing data, September 2020.

People in prison with grid sentences include close to 1,000 people for level 5 drug offenses and over 1,300 each for nondrug levels 1, 3, and 5.

FY2019 Year-End Prison Population,* by Offense Severity Level

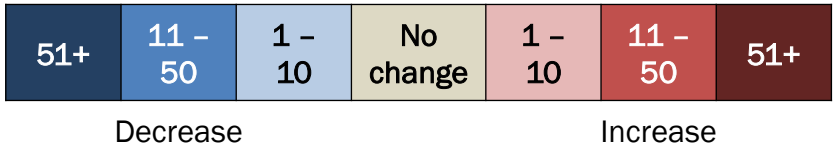


Includes people admitted to prison for any reason. Excludes one person who was missing offense information.

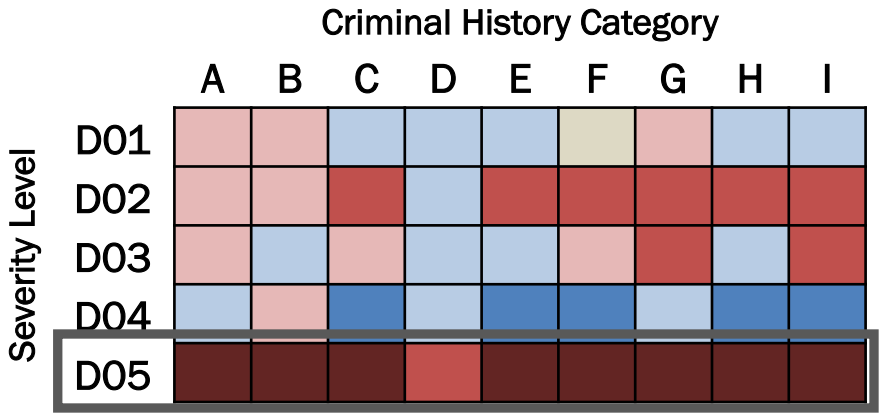
CSG Justice Center analysis of KDOC prison population data, September 2020.

“High-growth” grid cells are concentrated in level 5 of the drug grid and levels 6, 7, and 8 of the nondrug grid.

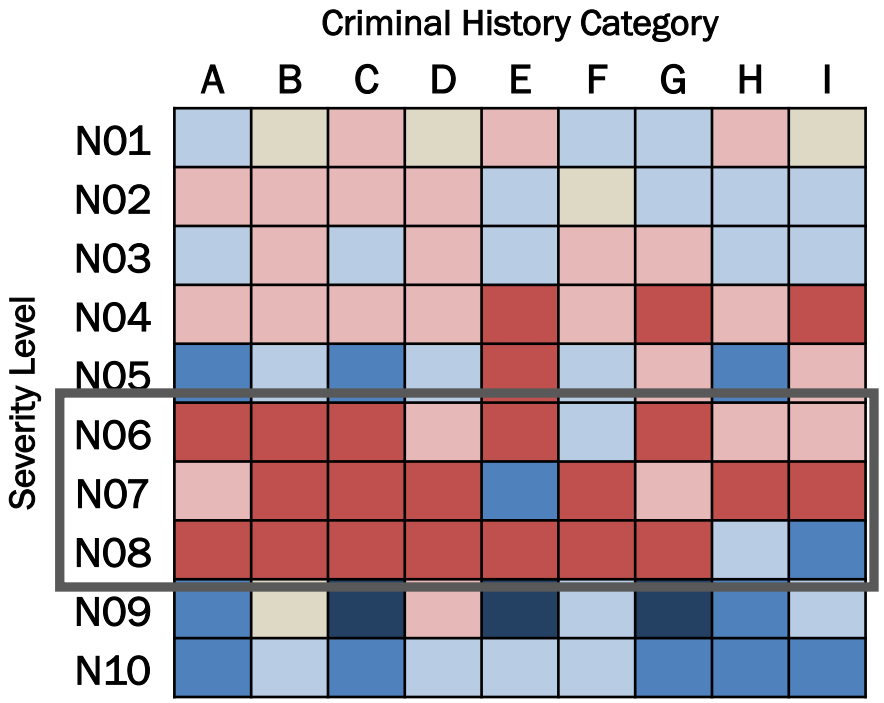
Change in Number of Felony Sentences from FY2015 to FY2019, by Grid Cell



Drug Grid



Nondrug Grid



Criminal History Categories

A	3+ Person Felonies
B	2 Person Felonies
C	1 Person & 1 Nonperson Felonies
D	1 Person Felony
E	3+ Nonperson Felonies
F	2 Nonperson Felonies
G	1 Nonperson Felony
H	2+ Misdemeanors
I	1 Misd. or No Record

The grid cell for 5 sentences in FY2015 and 12 sentences in FY2019 could not be determined due to missing severity level or criminal history information.

CSG Justice Center analysis of Kansas Sentencing Commission felony sentencing data, September 2020.

“High-growth” grid cells accounted for an increase of 1,396 felony sentences from FY2015 to FY2019.

Change in Number of Felony Sentences from FY2015 to FY2019, by Grid Cell

Drug Grid

	A	B	C	D	E	F	G	H	I	
D05	+61	+64	+170	+22	+186	+96	+119	+109	+156	*+983*

Nondrug Grid

	A	B	C	D	E	F	G	H	I	
N06	+22	+14	+21	+9	+21	-5	+35	+4	+2	*+123*
N07	+8	+20	+25	+13	-19	+16	+5	+39	+40	*+147*
N08	+23	+32	+29	+14	+48	+15	+12	-9	-21	*+143*

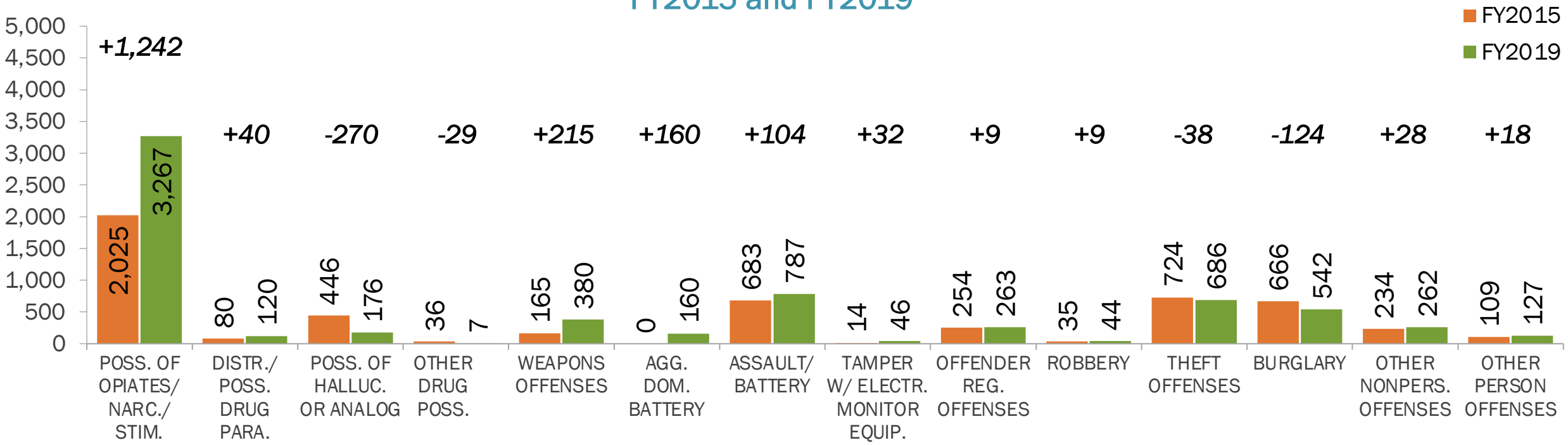
Of the 1,396 additional sentences in high-growth cells, **290** (21%) were in presumptive prison sentencing grid cells.

The grid cell for 5 sentences in FY2015 and 12 sentences in FY2019 could not be determined due to missing severity level or criminal history information.

CSG Justice Center analysis of Kansas Sentencing Commission felony sentencing data, September 2020.

Possession of drugs is by far the greatest volume driver in "high-growth" grid cells.

Offense Types in "High-Growth" Cells With the Greatest Increase in Number of Sentences, FY2015 and FY2019



The grid cell for 5 sentences in FY2015 and 12 sentences in FY2019 could not be determined due to missing severity level or criminal history information. Offenses were grouped into types based on offense descriptions in sentencing data.

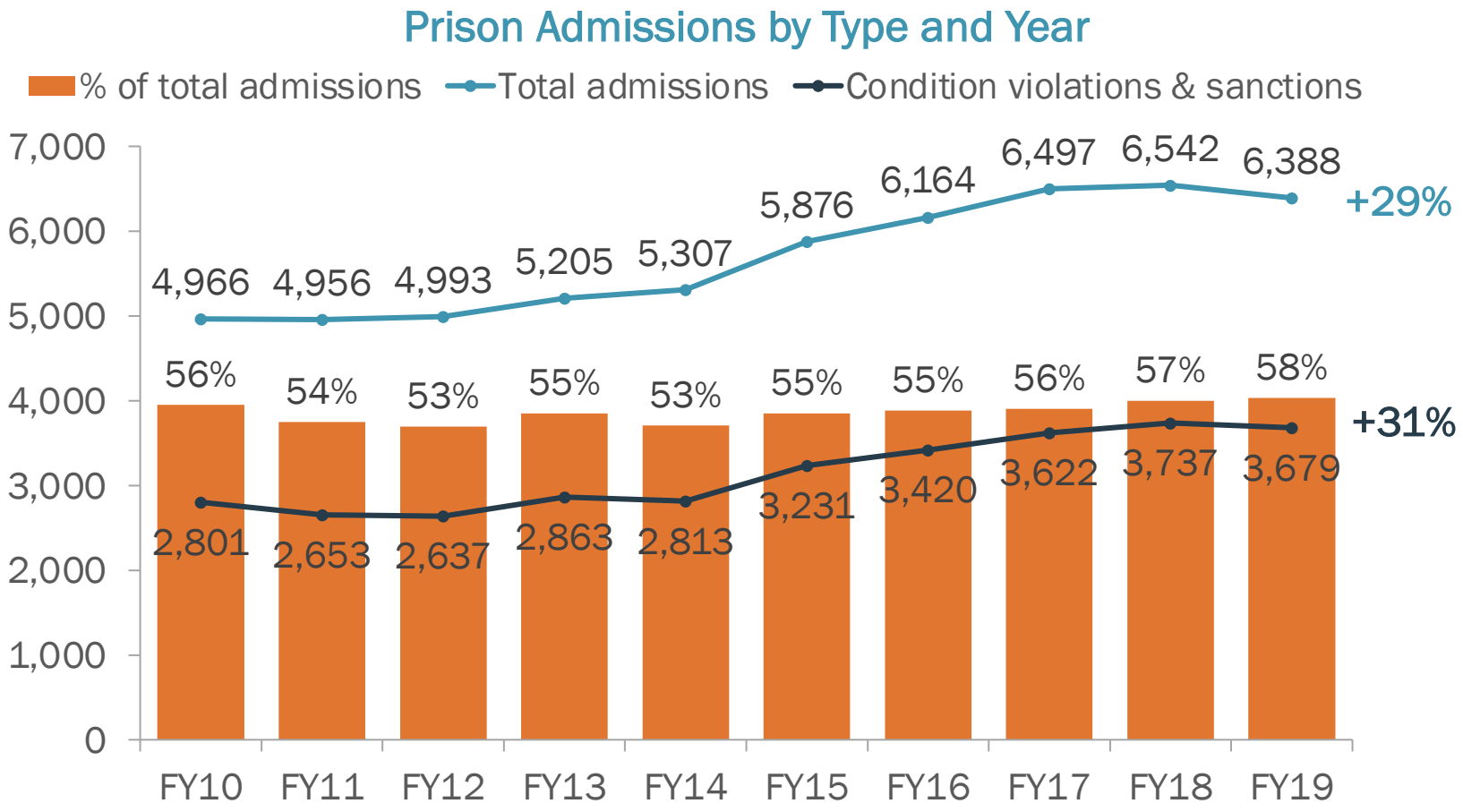
CSG Justice Center analysis of Kansas Sentencing Commission felony sentencing data, September 2020.

It cost an estimated $41 million to incarcerate people for drug offenses in FY2019.

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

CSG Justice Center analysis of KDOC prison population data, July 2020; Kansas Department of Corrections, *Fiscal Year 2019 Annual Report* (Topeka, KS: Kansas Department of Corrections, 2020).

People who commit supervision violations account for a substantial and growing proportion of prison admissions.



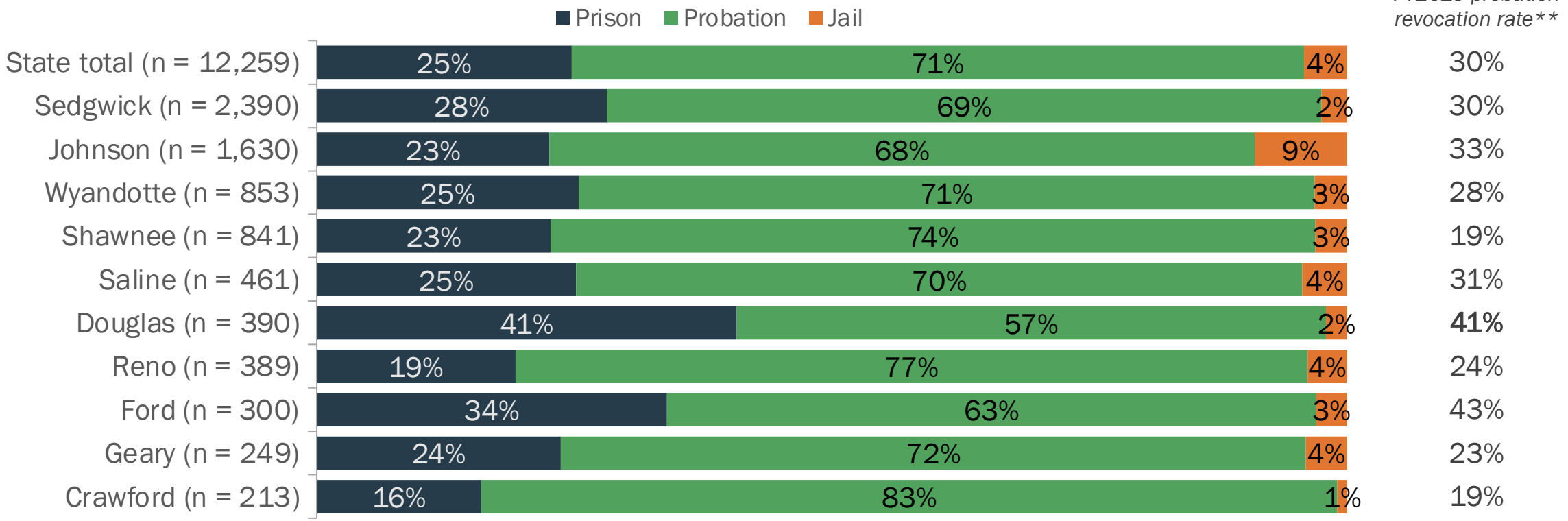
Additional takeaways:

- Drug offenses saw the largest increase from FY10 to FY19.
- Nonviolent offenses and supervision condition violations increased at about the same rate from FY10 to FY19.
- **The majority of admissions to prison each year are for supervision condition violations.**
- Each group's percent of the total number of admissions remained fairly stable from FY10 to FY19.

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

Douglas County has the highest rate of prison sentences and almost the highest rate of supervision revocation of the top 10 higher-volume counties.

FY2019 Felony Sentences by County and Sentence Type*



**Only the 10 counties with the most sentences in FY2019 are shown.*

CSG Justice Center analysis of Kansas Sentencing Commission felony sentencing data, September 2020.

It cost an estimated $43 million to incarcerate people who violated supervision conditions in FY2019.

Supervising a person in prison costs about 10 times as much as supervising them in the community. And, community supervision may be more effective than incarceration at reducing recidivism.

- $71.75/day to incarcerate
- $7.42/day to supervise in the community

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

CSG Justice Center analysis of KDOC prison population data, July 2020; Kansas Department of Corrections, *Fiscal Year 2019 Annual Report* (Topeka, KS: Kansas Department of Corrections, 2020).

Smarter corrections investments will work better and save Kansas money.

Kansas cannot afford business as usual and can use this opportunity to improve the overall outcomes of the criminal justice system and permanently interrupt cycles of recidivism.

There are 12 policy options under consideration in the Supervision/Diversion Subcommittee.

Overall, the proposed sentencing policy options accomplish the following:

1. Prioritize prison space for people convicted of the most serious crimes by amending drug crime sentencing.
2. Expand diversion options available to prosecutors and judges.
3. Explore nondrug sentencing.
4. Make revocation sentencing more consistent and proportional.
5. Support high-quality and effective supervision practices in order to reduce recidivism.

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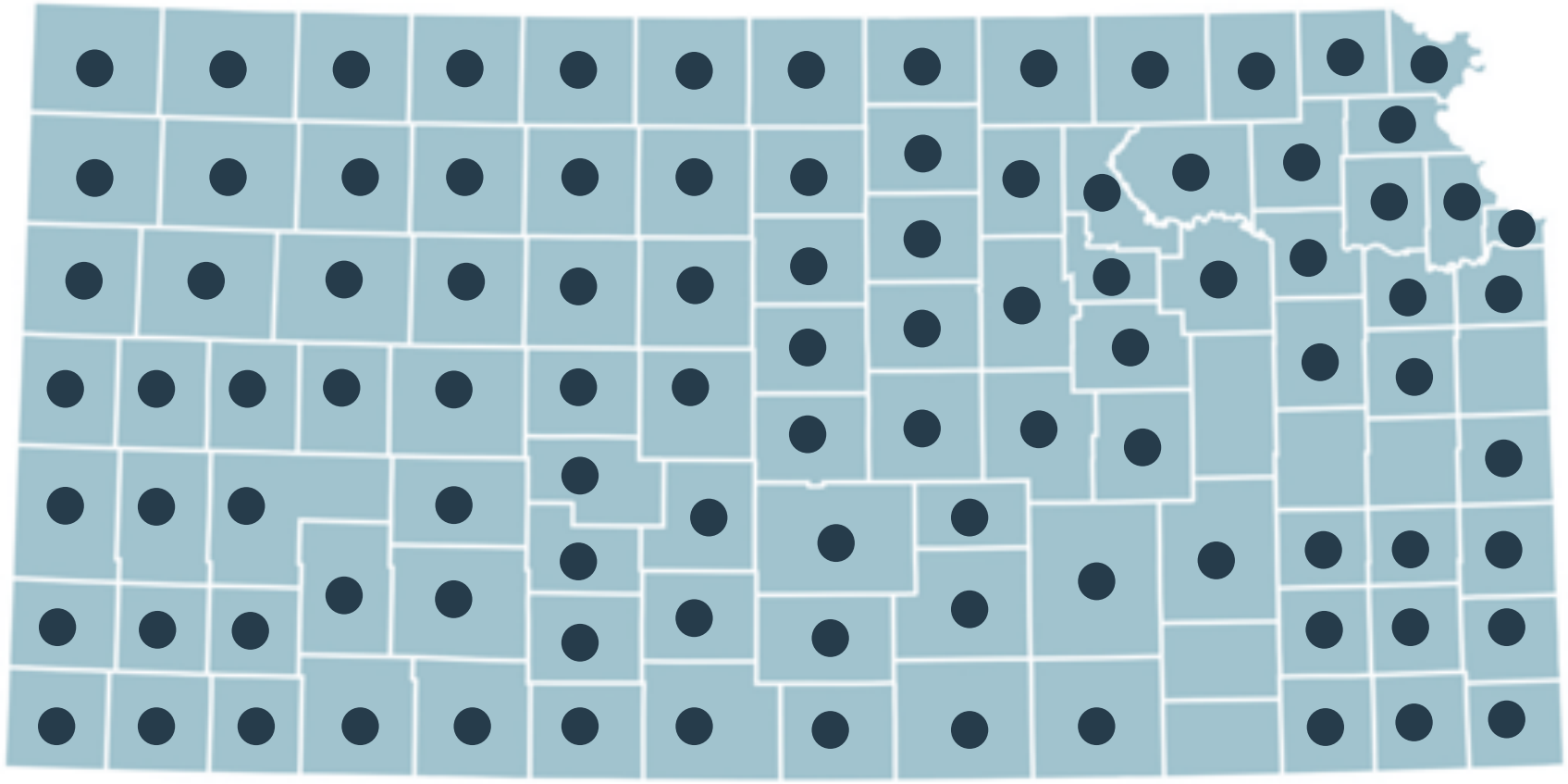
Team members have connected with stakeholders from 99 of Kansas's 105 counties and spoken with more than 180 people.



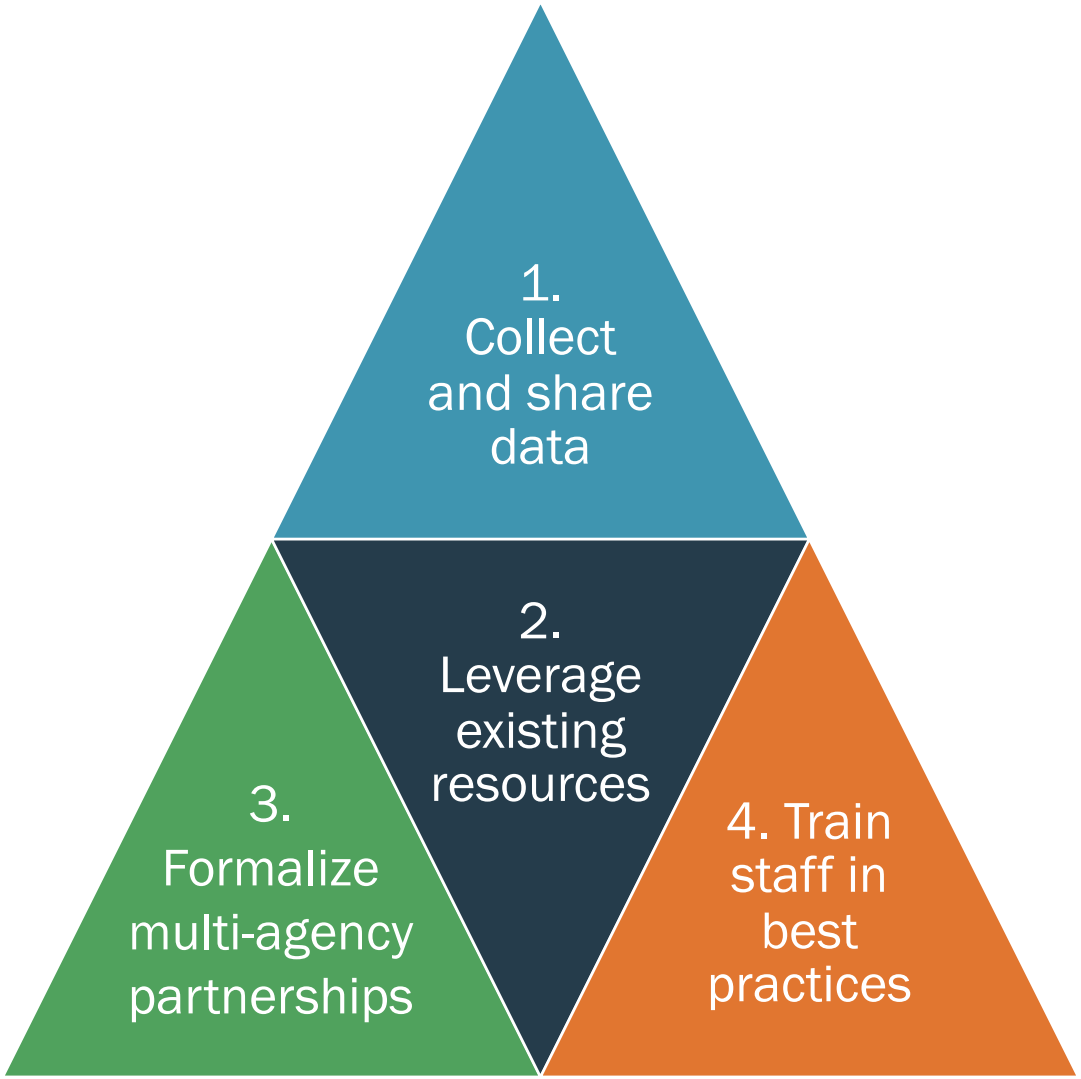
The victim, violent crime, sentencing, supervision, behavioral health, housing, and employment assessment teams presented to subcommittees of the Kansas Criminal Justice Reform Commission on October 7, 2020.

Members of these subcommittees are working with CSG Justice Center staff to put forward policy options for the CJRC in November.

The October presentations were emailed to each Commission member.

There are opportunities to comprehensively address criminal justice system challenges in Kansas.

Whether they address behavioral health, education and employment, reentry, supervision, sentencing, or victims and violent crime, each of the Justice Reinvestment policy options are strengthened as Kansas improves four core practices.



The combination of varying conditions of supervision and dual supervision presents additional challenges for people on supervision.

Dual Supervision Example: Client 1

Agency	Supervision Type	LSI-R Risk Level	Supervision Term	Office Visits Per Month	Field Visits Per Month	Supervision Fee	Drug and Alcohol Testing Per Month	Treatment Requirement	Employment Required	# of General Conditions	# of Special Conditions
Community Corrections	Probation – Theft by Deception	30 – Moderate Risk	12-18 Months	3	1	One time $100	4	Assessment at own expense follow recommendations	Yes	13	7
KDOC	Parole – Theft by Deception	24 – Moderate Risk	Until February 2022	1		$30 per month	1st 30 days of supervision then as needed	Assessment required	No, unless on case plan	6	0

Note: The majority of supervision conditions are the same, but all are worded differently between agencies making it difficult to determine which overlap between the two agencies. Additionally, some conditions conflict. For instance, Community Corrections requires reporting law enforcement contact within 24 hours and KDOC requires reporting within 36 hours.

The table was modified on 9/11/2020 to more accurately reflect the number of KDOC general conditions and required visits.

The combination of varying conditions of supervision and dual supervision presents additional challenges for people on supervision.

Dual Supervision Example: Client 2

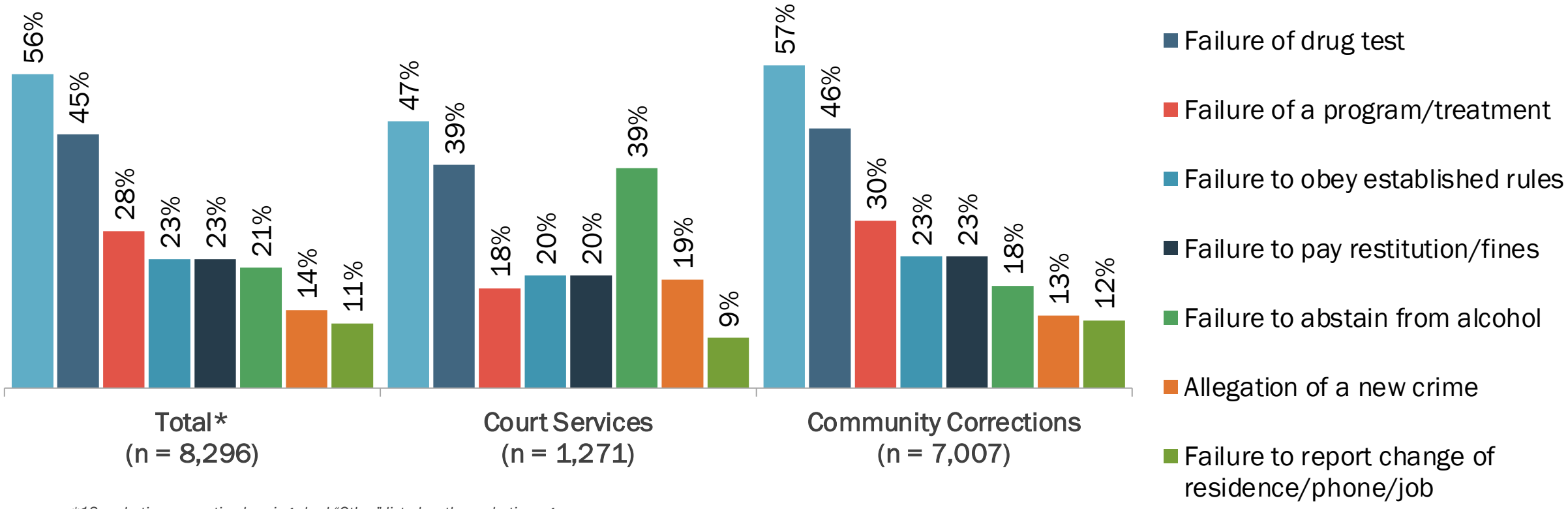
Agency	Supervision Type	LSI-R Risk Level	Supervision Term	Office Visits Per Month	Field Visits Per Month	Supervision Fee	Drug and Alcohol Testing Per Month	Treatment Requirement	Employment Required	# of General Conditions	# of Special Conditions
Community Corrections	Probation – Possession of Heroin	35 – High Risk	12 Month – Extended until Feb 2021	4	1	One time$100	4	Assessment and follow recommendations	Yes– Full Time	15	7
KDOC	Parole - Perjury	33 – High Risk	12 Months – Until Feb 2021	3		$30 per month	Varies based on behavior	Substance use and mental health treatment	No, unless on case plan	6	1

Note: The majority of supervision conditions are the same, but all are worded differently between agencies making it difficult to determine which overlap between the two agencies. Additionally, some conditions conflict. For instance, Community Corrections requires reporting law enforcement contact within 24 hours and KDOC requires reporting within 36 hours.

The table was modified on 9/11/2020 to more accurately reflect the number of KDOC general conditions and required visits.

When examining revocation hearing reasons for people on probation, "failure to report" is the most cited reason, which could be exacerbated by excessive conditions and dual supervision.

Most Common Conditions Violated in Probation Revocation Hearings, FY2019



**18 probation revocation hearings had "Other" listed as the probation agency.*
Conditions violated in fewer than 10% of revocation hearings are not shown. The number of violations is more than the number of hearings because each hearing can involve multiple violations. New offense revocations can also have violations alleged.

CSG Justice Center analysis of Kansas Sentencing Commission probation revocation hearings data, August 2020.

Varying perceptions exist about balancing punishment and behavior change, causing inconsistencies in how violation behaviors are handled and the threshold for revocation.

Pretrial Detention: More than 1 Day

- Increased failure-to-appear rates for low-risk individuals
- Increased recidivism for low- and moderate-risk individuals

Community Sanctions vs. Jail Sanctions

Both have the same:

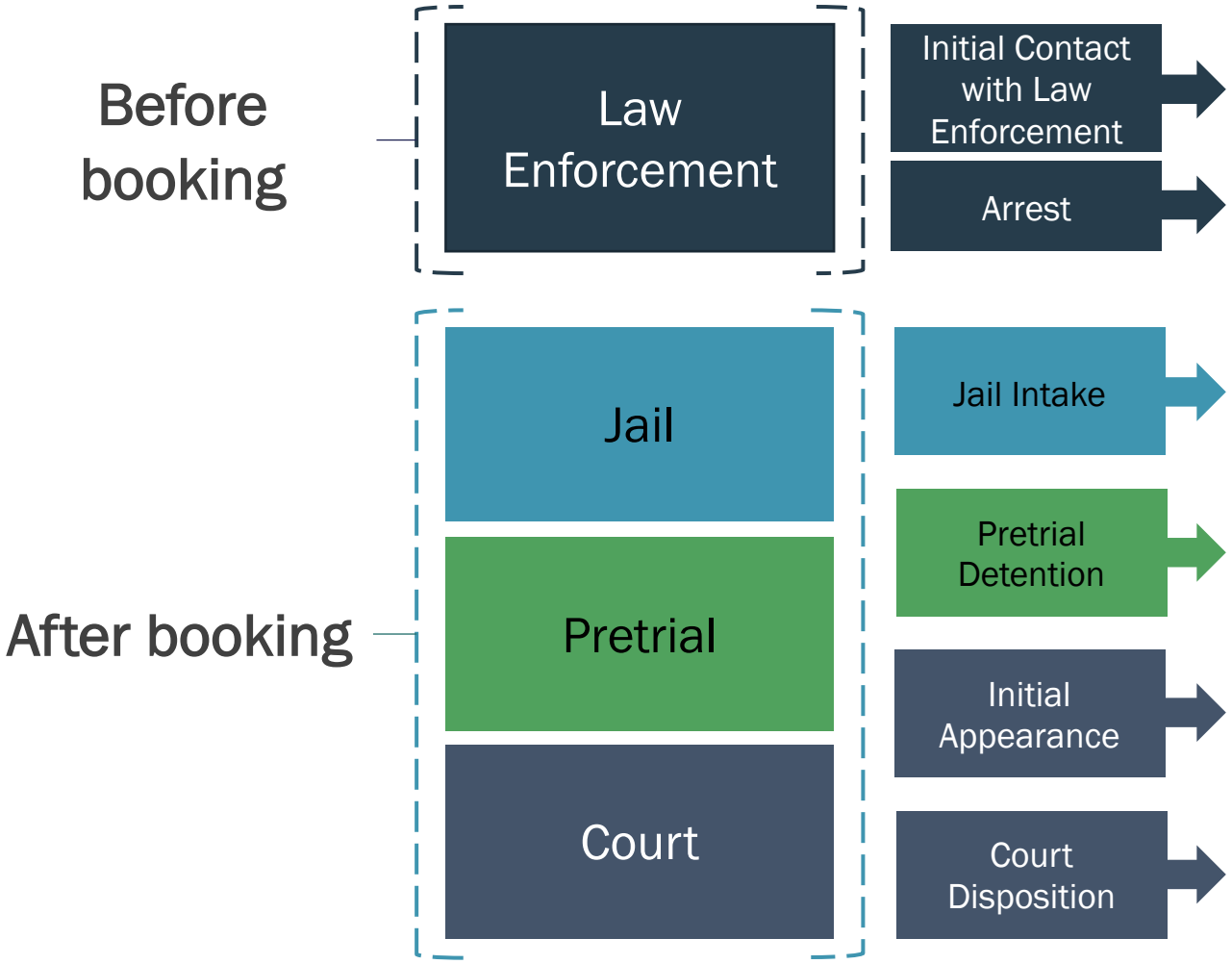
- Time to next violation
- Number of subsequent violations
- Likelihood of successful completion of supervision

Prison: Not shown 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

Christopher T. Lowenkamp, Marie VanNostrand, and Alexander Holsinger, *The Hidden Costs of Pretrial Detention* (Laura and John Arnold Foundation, 2013); E.J. Wodahl, John Boman IV, and Brett Garland, "Responding to probation and parole violations: Are jail sanctions more effective than community-based graduated sanctions?" *Journal of Criminal Justice* 43, no. 3: 242–250; National Institute of Justice, "Five Things about Deterrence" (Washington, DC: National Institute of Justice, 2016), https://www.ncjrs.gov/pdffiles1/nij/247350.pdf.

Diversion is an off-ramp from criminal justice involvement to community engagement.



The Council of State Governments Justice Center, *Behavioral Health Diversion Interventions: Moving from Individual Programs to a Systems-Wide Strategy* (New York: The Council of State Governments Justice Center, 2019).

2 policy options passed out of the Supervision/ Diversion Subcommittee.

1. Develop a statewide coordinated effort to allow people supervised by one agency to receive programming facilitated by another agency.
2. Develop an inter-agency 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.

There are 10 additional policy options under consideration in the Supervision/Diversion Subcommittee.

Overall, the proposed supervision policy options address the following challenges:

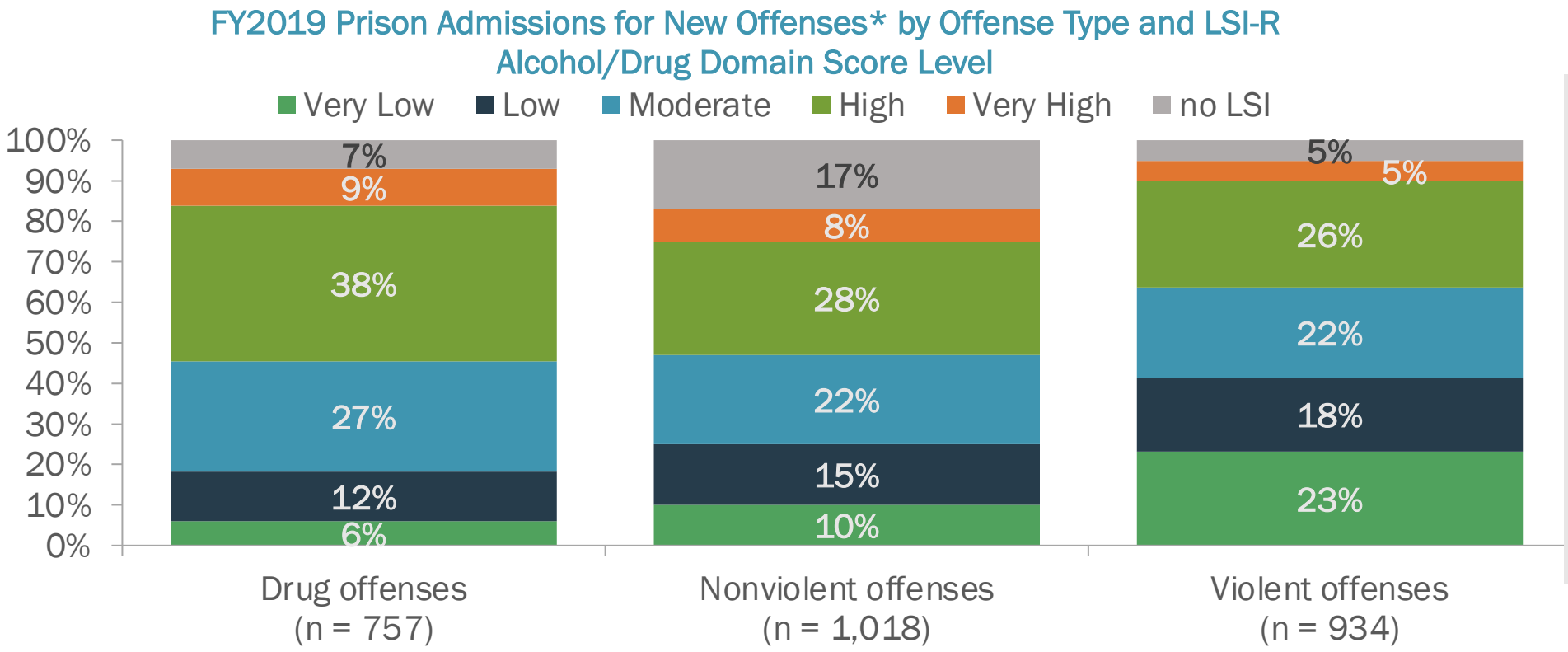
1. Supervision conditions do not meet best practice standards and vary in length and content across the state.
2. 5–16 percent of the supervision population are on supervision with more than one supervision entity.
3. There are variations in access and cost of programming between agencies.
4. Information is not shared across agencies to reduce duplication, improve services, and develop consistent processes.
5. Initial and ongoing staff training does not occur to assist with skill acquisition and fidelity to practices.

There are 10 additional policy options under consideration in the Supervision/Diversion Subcommittee.

Overall, the proposed supervision policy options address the following challenges (cont.):

6. Varying perceptions exist about balancing punishment and behavior change, causing inconsistencies in how violation behaviors are handled and the threshold for revocation.
7. Data is not collected uniformly across criminal justice stakeholders to allow for easy system analysis and should be reported in a way that is meaningful and actionable.

58 percent of admissions for new nonviolent offenses and 53 percent of admissions for new violent offenses scored "moderate" to "very high" in the LSI-R domain for alcohol/drugs.



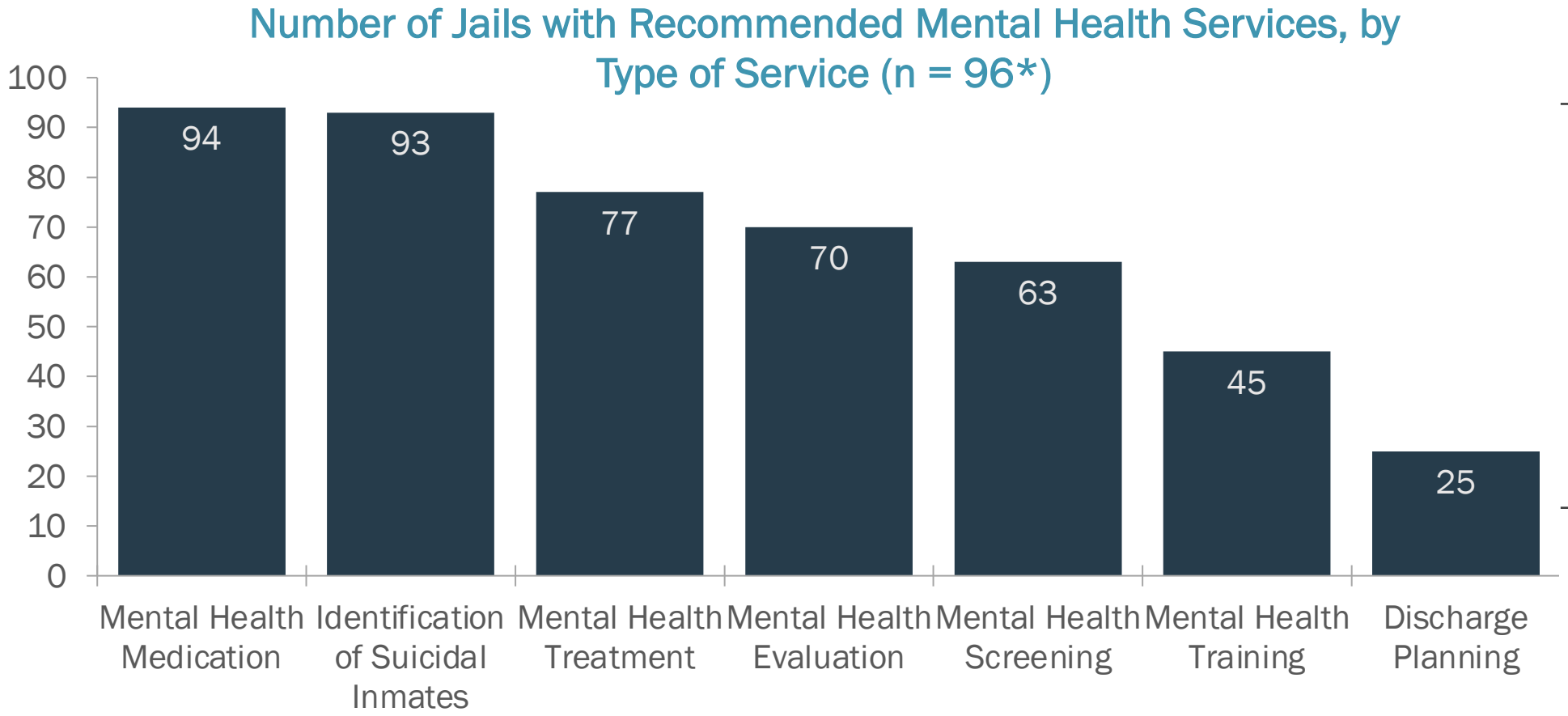
Additional takeaways:

- In FY2019, 75 percent of admissions for new drug offenses scored "moderate" to "very high" in the LSI-R domain for alcohol/drugs.

Based on the LSI-R assessment closest to the admission date. Assessments conducted more than 30 days after admission were excluded from analysis.
**Excludes admissions for probation or parole condition violations and probation sanctions.*

CSG Justice Center analysis of KDOC prison admission and LSI-R data, August 2020.

Almost all county jails in Kansas offer medication for mental health issues, but screening or evaluation is less common.



One jail did not respond to questions about services offered.

Number of Services	Average Jail Capacity
2	30
3	42
4	44
5	60
6	100
7	362

Typically, larger jails can offer more recommended mental health services.

Legislative Division of Post Audit, Community Mental Health: Evaluating Mental Health Services in Local Jails (Topeka, KS: Kansas Legislative Division of Post Audit, 2018).

Policy options to reduce barriers for people in the criminal justice system with behavioral health needs are broken down into four priorities.

1

Leverage current efforts to support people with mental illnesses and substance use disorders in the justice system.

2

Provide opportunities and develop policy on **cross-system coordination**.

3

Prioritize collecting **data to guide policy improvements.**

4

Focus on **training and education for providers** to support people with mental illnesses and substance use disorders in the justice system.

There are 20 policy options for consideration in the Mental Health/Substance Abuse Subcommittee.

Overall, the proposed behavioral health policy options address the following challenges:

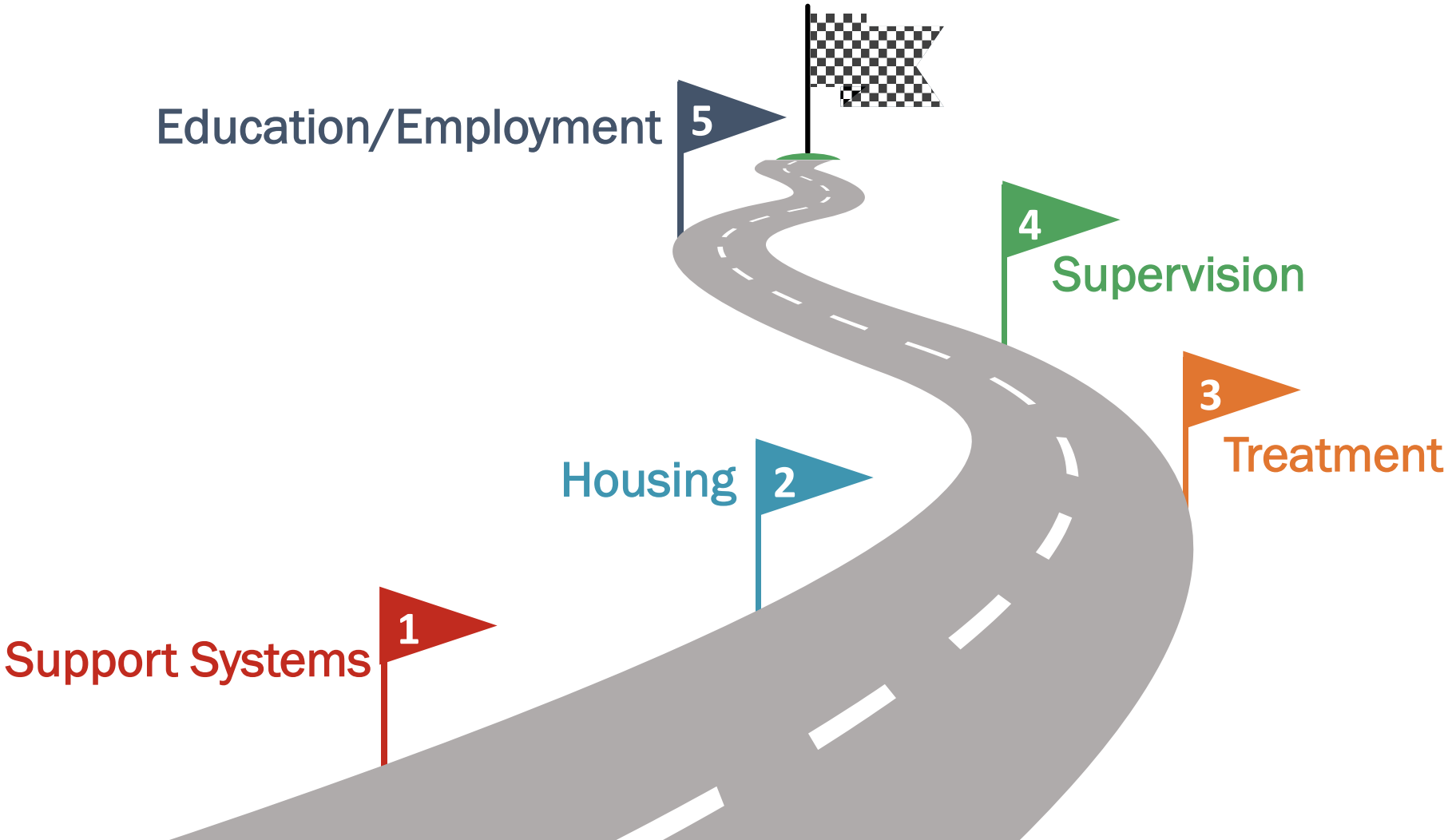
1. While there is a well-developed structure to ensure effective transitions from prison to the community, insufficient staffing levels result in poor implementation of the processes in place.
2. Support integrated co-occurring mental illness and substance use disorder treatment in the prison system.
3. Utilize the opportunity for the planned launch of a Stepping Up Technical Assistance Center to support cross-system coordination.
4. Update contracts, policies, and procedures to support additional guidance for substance use disorder interventions in the prison system.

There are 20 policy options for consideration in the Mental Health/Substance Abuse subcommittee.

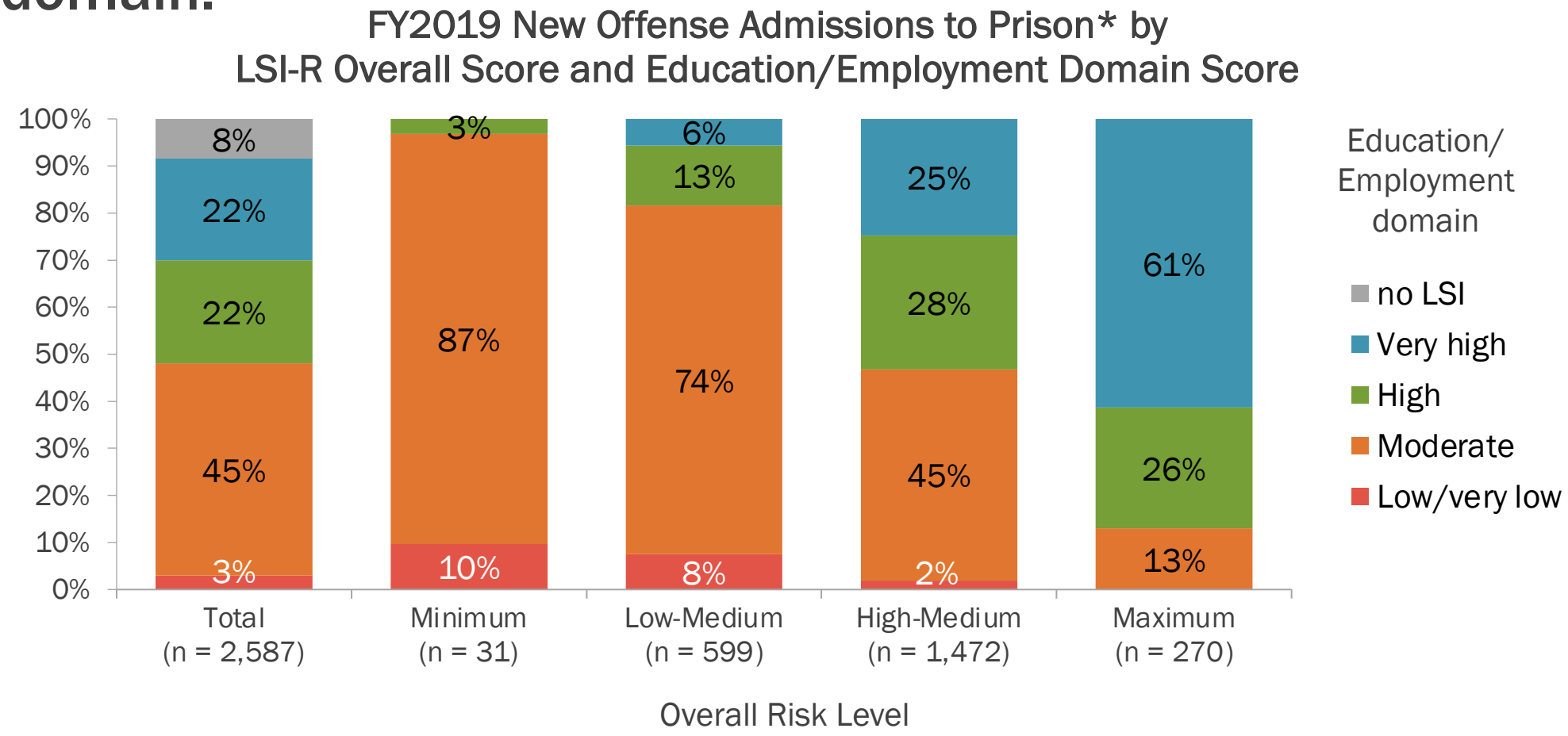
Overall, the proposed behavioral health policy options address the following challenges (cont.):

5. Develop policies to improve access to mental illness and substance use disorder treatment in correctional facilities and the community.
6. Increase diversion opportunities for people with mental illnesses and substance use disorders.
7. Prioritize cross-system data collection through a comprehensive statewide data collection process, standard metrics, or management information systems (MIS).
8. Develop education and training on mental illnesses, substance use disorders, housing, and working with people in the justice system.

Connecting a person to the right combination of services and appropriate level of intensity during various points in reentry planning can reduce his or her chance of recidivating.



In FY2019, the majority of new offense prison admissions were for people that were assessed as medium-high risk to reoffend with a moderate to very high need in the education/employment domain.

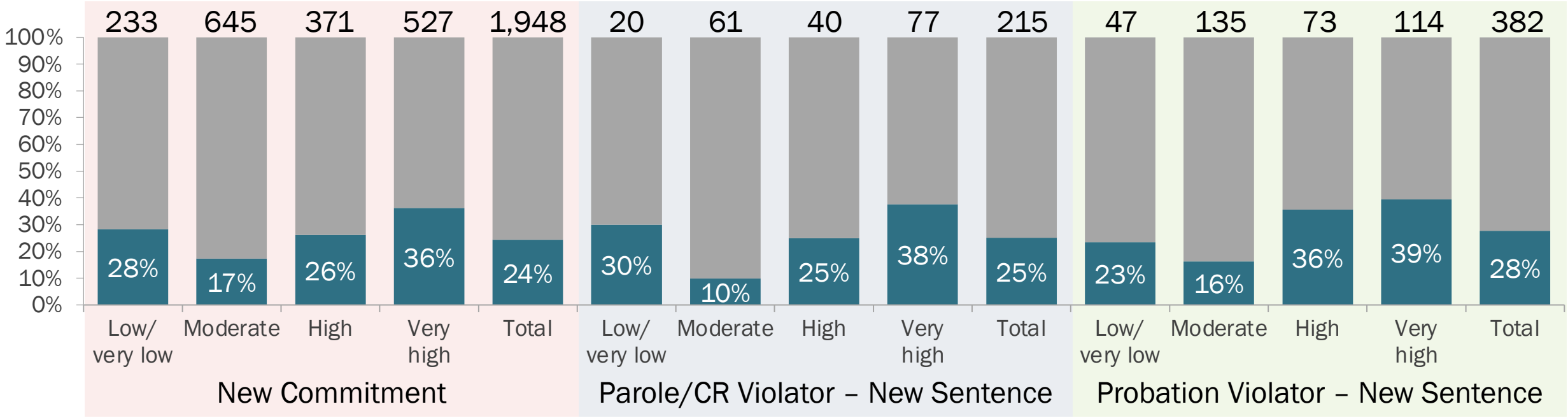


**New offense admission types are: New Commitment, Parole/CR Violator - New Sentence, and Probation Violator - New Sentence. Based on the LSI-R assessment closest to the admission date. Assessments conducted more than 30 days after admission were excluded from analysis.*

CSG Justice Center analysis of KDOC prison admission and LSI-R data, August 2020.

For the most part, KDOC is prioritizing educational and employment programming for people who have an indicated need; however, the agency is unable to meet the demand.

Percent of FY2019 Prison Releases* Enrolled in Education or Employment Training, by Prison Admission Type and LSI Education/Employment Domain Score



Education/employment training programs counted are: BCCC Intro to Craft Skills, Facility Based GED, Facility Based GED Barton Co., FB KS WorkReady Certificate, HVAC, In2Work, Innerchange GED, Intro to Craft Skills, KS WorkReady Certificate, Last Mile Coding, Masonry, NCCER Core, Plumbing, GED - Brothers in Blue, GED Fast Track, GED for Segregation, GED Preparation, GED Readiness Tutoring, GED-Volunteer Initiative, and Title 1.
LSI-R scores are based on the assessment conducted closest to the release date during the period of incarceration.
**Totals include 202 releases that did not have an LSI-R assessment. Admission types where more than 40% of releases did not have an LSI-R assessment are not shown here.*

CSG Justice Center analysis of KDOC prison release, LSI-R assessment, and program activity data, September 2020.

19 reentry, education, and employment policy options passed out of the Reentry Subcommittee.

Reentry

1. Fully opt out of the federal ban on SNAP, TANF, or both to remove barriers to benefit eligibility based on felony drug convictions.

Education

2. Develop a sustainability plan for the Second Chance Pell Pilot Programs to continue educational and vocational programming.
3. Develop a streamlined process during intake to KDOC facilities for using assessment results and other information gathered during intake to assign people to a facility based on programming needs, availability, interest, anticipated release date, as well as security risk.
4. Develop additional partnerships with community-based agencies to provide more programming, such as Adult Basic Education (ABE) and General Educational Development (GED) courses each day of the week.

19 reentry, education, and employment policy options passed out of the Reentry Subcommittee.

Education (cont.)

5. Increase funding for education and employment programming and space within KDOC facilities.

Employment

6. Appoint a representative from KDOC to the KansasWorks state board to ensure the workforce development and supportive service needs of people with justice system involvement are taken into consideration when developing the state Workforce Innovation and Opportunity Act (WIOA) plan and other state-funded workforce development initiatives.
7. Develop formal partnerships between KDOC, KCCHE, businesses, and all local Workforce Boards to leverage state, federal, and private funding and resources to bring intensive workforce development models to scale within the state.

19 reentry, education, and employment policy options passed out of the Reentry Subcommittee.

Employment (cont.)

8. Develop formal partnerships and information-sharing agreements between KDOC and DCF's Vocational Rehabilitation department to screen people for services prior to release from KDOC and/or at the start of community supervision.
9. Develop a plan for marketing KDOC Vocational/Career and Technical Education (CTE) to businesses and legislators to show that KDOC's untapped skilled population has what it takes to meet the needs of businesses and that Kansas stakeholders should continue to invest in programming.
10. Standardize KDOC's roles and responsibilities for employment specialists to include job development or invest in job development specialists to form relationships with businesses in the community to promote hiring people who are reentering the community.

19 reentry, education, and employment policy options passed out of the Reentry Subcommittee.

Employment (cont.)

11. Develop shared positions between KDOC, DCF, and all local Workforce Boards to ensure a smooth handoff as a person reenters the community.
12. Develop a Legislative Liaison position at KDOC to ensure that the statutory and administrative policy barriers experienced by people in the justice system are communicated to policymakers.
13. Utilize the governor's WIOA Reserve Obligation/set-aside to build on successful intensive workforce development models.
14. Require disqualifying offenses to be directly related to the specific duties and responsibilities of the licensed activity.
15. Require individualized consideration of applicants and their convictions guided by a consistent factor-based analysis that considers evidence of rehabilitation, time since conviction, the nature of the offense, and other relevant factors.

19 reentry, education, and employment policy options passed out of the Reentry Subcommittee.

Employment (cont.)

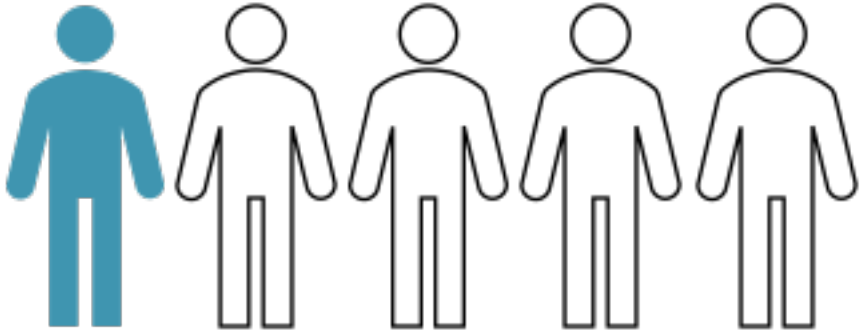
16. Provide applicants with written reasons for conviction-based denial that address all statutory factors that must be considered.
17. Make pre-application determinations binding unless new criminal history information comes to light, either in the form of new charges or convictions or past convictions that were not previously disclosed.
18. Eliminate or narrowly tailor exemptions for specific licensing bodies and types of licenses.
19. Expand the law to cover all state-imposed conviction-based licensing barriers so that existing mandatory barriers are essentially converted into discretionary ones that allow individuals to be considered on their merits and in the full context of their history and experience.

Homelessness is correlated with criminal justice system involvement.

- Of the 11 million people admitted to jail annually, about 15 percent report experiencing homelessness in the year prior to arrest.
- Since 2011, the number of people experiencing homelessness has fallen, while the number of people entering shelters from correctional institutions has risen.
- Rates of homelessness are higher among people who have mental illnesses and co-occurring substance use disorders.
- People in jail with behavioral health symptoms are 1.5 times more likely to experience homelessness than other incarcerated people.

Greg A. Greenberg and Robert A. Rosenheck, "Jail Incarceration, Homelessness, and Mental Health: A National Study" (Psychiatry Services, 2008), ps.psychiatryonline.org/doi/full/10.1176/ps.2008.59.2.170. , "Jail Incarceration, Homelessness, and Mental Health: A National Study," Psychiatric Services 59, No. 2 (2008): https://ps.psychiatryonline.org/doi/pdfplus/10.1176/ps.2008.59.2.170. Office of Planning and Development, "The 2017 Annual Homeless Assessment Report (AHAR) to Congress: Part 2: Estimates of Homelessness in the United States," U.S. Department of Housing and Urban Development, October 2018, https://www.hudexchange.info/resources/documents/2017-AHAR-Part-2.pdf; CSG Justice Center staff analysis of HUD AHAR data, 2019.

20 percent of people leaving KDOC facilities each year have no stable housing.



Jeff Zmuda, "Kansas Department of Corrections Presentation to the Criminal Justice Reform Commission" (PowerPoint presentation, Kansas Criminal Justice Reform Commission, Topeka, KS, October, 28, 2019).

11 housing policy options passed out of the Reentry Subcommittee. Housing is a key issue that has also been a focus in the Mental Health/Substance Abuse Subcommittee.

Leverage current efforts

1. Incorporate people in the criminal justice system into existing working groups and task forces with a priority on homelessness and housing.
   - In cooperation with the Lieutenant Governor's Office and the Kansas Housing Resources Corporation, work with the Rural Prosperity Task Force and the Housing and Homeless Subcommittee to include people in the criminal justice system.
   - Ensure that people in the criminal justice system are included in the upcoming housing study.
   - Discuss and evaluate barriers to accessing existing shelter services, permanent supportive housing, recovery housing, and other housing options for people in the criminal justice system.

11 housing policy options passed out of the Reentry Subcommittee. Housing is a key issue that has also been a focus in the Mental Health/Substance Abuse Subcommittee.

Leverage current efforts (cont.)

2. Expand existing lists of housing opportunities available through KDOC, the Kansas Housing Resources Corporation (KHRC), and the Kansas Department for Aging and Disability Services (KDADS) to provide information on which programs in the state support access for people in the justice system.
3. Develop policies and procedures on coordination between KDOC and the regional Balance of State (BoS) Continuum of Care (CoC) coordinators, CoCs, CMHC housing specialists, recovery housing, and other housing services providers.
4. Have the regional BoS CoC coordinators review information in the new Housing Management Information System (HMIS) to identify available properties and support people reentering the community from jails or prison.

11 housing policy options passed out of the Reentry Subcommittee. Housing is a key issue that has also been a focus in the Mental Health/Substance Abuse Subcommittee.

Cross-system coordination

5. Develop policies requiring ongoing collaboration among state agencies—KDOC, KDADS, and KHRC—to address housing for people in the justice system.
6. Identify statutory or administrative restrictions on housing for people with criminal histories. Distill the barriers that are perceived vs. restrictions that are mandatory. Generate a list of restrictions that impact the most people in the criminal justice system.

Data to guide policy improvements

7. Develop policy requiring a consistent method of screening to track people in jails and prisons who are experiencing housing instability or are at risk of homelessness.

11 housing policy options passed out of the Reentry Subcommittee. Housing is a key issue that has also been a focus in the Mental Health/Substance Abuse Subcommittee.

Data to guide policy improvements (cont.)

8. Leverage the data subcommittee to identify common data metrics that should be collected across the criminal justice, mental illness, substance use disorder, and housing systems. This group will develop recommended legislation regarding what metrics should be included in the data framework.

Training and education

9. Utilize justice system partnerships to provide training for housing providers on working with people in the justice system, including information on criminogenic risk and needs and common misconceptions.

11 housing policy options passed out of the Reentry Subcommittee. Housing is a key issue that has also been a focus in the Mental Health/Substance Abuse Subcommittee.

Training and education (cont.)

10. Offer outreach and training for CoCs, housing authorities, and landlords on the housing needs of people in the justice system and how to effectively coordinate with community supervision agencies, CMHCs, and substance use disorder treatment providers.
11. Provide training for community supervision officers on housing opportunities, the housing system, and strategies to better coordinate with CoCs, housing authorities, landlords, CMHCs, and housing support service providers.

States have used statewide victimization surveys to understand the scope of victimization and experiences of vulnerable populations that systems may not be serving.

Wyoming Crime Victimization Survey (2011)

- Robbery, assault, and property crime were the most frequently reported crimes.
- Only 20 percent of sexual assaults were reported to law enforcement.
- Talking to a mental health professional was the most commonly reported service received after of victimization.

Missouri Crime Victimization Survey (2016)

- One in eight people have experienced intimate partner violence.
- Emotional abuse was the most common type of abuse, followed by physical abuse and stalking.
- Of people who experienced forced sexual activity, only 13.5 percent were offered victim services.

Wyoming Crime Victimization Survey (Wyoming: Wyoming Survey & Analysis Center, 2011); Missouri Crime Victimization Survey Executive Summary (Missouri, Missouri State Highway Patrol Statistical Analysis Center, 2016).

There are 4 victim services policy options up for consideration in the Proportionality/Guidelines Subcommittee.

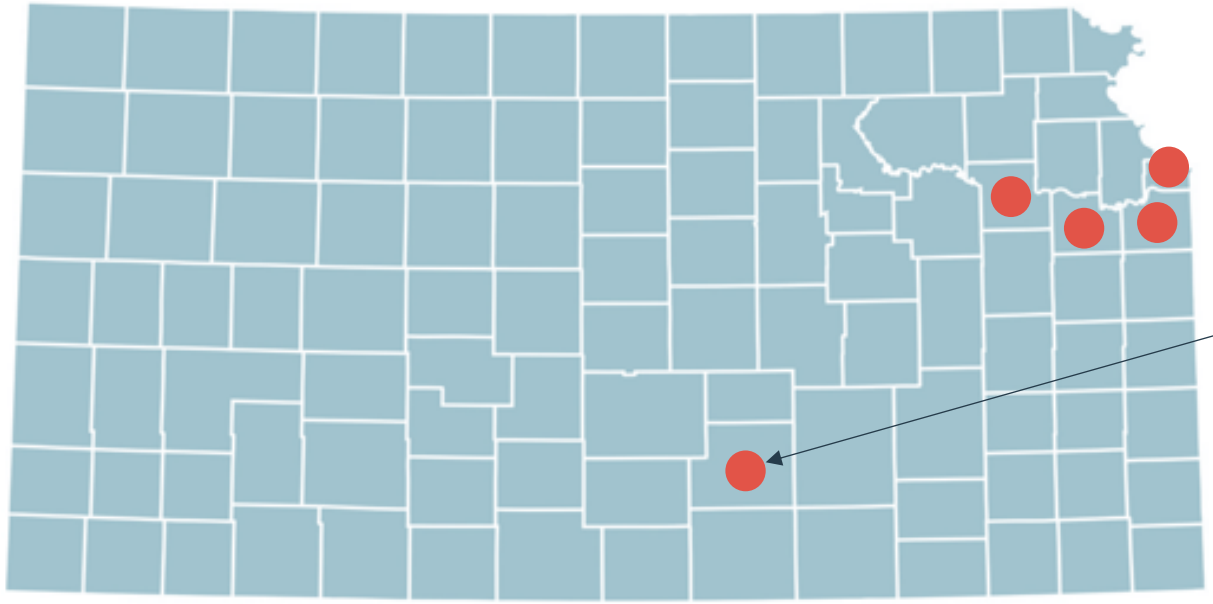
Overall, the proposed victim services policy options would:

1. Increase the data available about victims in Kansas to ensure state funding priorities support victims' needs.
2. Strengthen victim-witness coordinator programs throughout the state.

In 2018, the five most populous counties in Kansas accounted for 68 percent of reported violent crime.

Five Most Populous Counties:

Johnson, Sedgwick, Shawnee, Wyandotte, and Douglas Counties



17% vs. 40%

In 2018, Sedgwick County was home to 17 percent of the state's population but was responsible for 40 percent of reported violent crime.

Kansas Bureau of Investigation Incident Based Reporting Unit, Kansas Crime Index 2010–2018 (Topeka, KS: Kansas Bureau of Investigation, 2011–2019); "QuickFacts Kansas; Sedgwick County, Kansas," United States Census Bureau, https://www.census.gov/quickfacts/fact/table/sedgwickcountykansas,KS/PST045219, accessed July 2, 2020.

Also, rural and frontier counties also ranked in the top 10 for violent crimes per 1,000 Kansans.

#4	#9	#10
Cloud County (Rural)	Rush County (Frontier)	Greenwood County (Frontier)
Population = 8,618	Population = 3,061	Population = 5,970
Total Crime = 213	Total Crime = 46	Total Crime = 101
Total Crime Rate = 24.7	Total Crime Rate = 15.0	Total Crime Rate = 16.9
Violent Crime = 59	Violent Crime = 14	Violent Crime = 27
Violent Crime Rate = 6.8	Violent Crime Rate = 4.6	Violent Crime Rate = 4.5

Kansas Bureau of Investigation Incident Based Reporting Unit, Kansas Crime Index 2019 (Topeka, KS: Kansas Bureau of Investigation, 2020); Institute for Policy & Social Research, Population Density Classifications in Kansas, by County, 2019 (Lawrence, KS: The University of Kansas Institute for Policy & Social Research, 2020).

Frontier, rural, suburban, and urban counties have recently experienced increases in calls for service for serious domestic violence incidents.

Calls for service for serious domestic violence incidents have doubled and even tripled in most jurisdictions.

Calls for service for misdemeanor domestic violence incidents have stayed flat in most jurisdictions.

CSG Justice Center focus group interviews with Kansas law enforcement officials, August 2020.

8 policy options to address violent crime are being heard in the Proportionality/ Guidelines Subcommittee.

Overall, the proposed policies to address violent crime would:

1. Improve statewide data collection and data transparency.
2. Hold people accountable for domestic violence harm and make state-certified assessment and programming mandatory.
3. Strengthen coordinated community response teams and increase local case coordination related to violent crimes, including homicide, child abuse, sexual assault, and domestic violence.

Presentation Overview

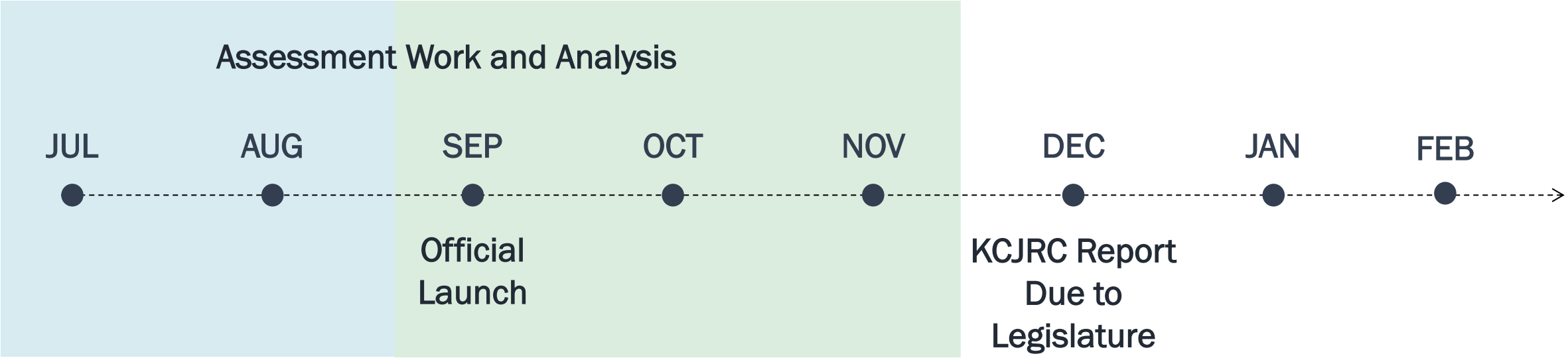
1 Justice Reinvestment in Kansas

2 Current Challenges

3 Subcommittee Updates

4 Next Steps

The Justice Reinvestment team will continue to work with Commission and subcommittee members to finalize policy options for the October 26, 2020 deadline.



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