

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Jay Emler at 10:30 a.m. on February 10, 2009, in Room 545-N of the Capitol.

All members were present.

Committee staff present:

Alan Conroy, Kansas Legislative Research Department
Michael Steiner, Kansas Legislative Research Department
Estelle Montgomery, Kansas Legislative Research Department
Amy Deckard, Kansas Legislative Research Department
Jill Wolters, Office of the Revisor of Statutes
Daniel Yoza, Office of the Revisor of Statutes
Melinda Gaul, Chief of Staff
Shirley Jepson, Committee Assistant

Conferees appearing before the committee:

Don Jordan, Secretary, Department of Social and Rehabilitation Services (SRS)
Ray Dalton, Deputy Secretary, Department of Social and Rehabilitation Services (SRS)

Others attending:

See attached list.

Continued Hearing on SB 128 - Fatherhood initiative program; implemented by the department of social and rehabilitation services.

Jill Wolters, Office of the Revisor of Statutes, explained that **SB 128** would direct SRS to establish a fatherhood initiative program to encourage the formation and continuation of relationships between children and their fathers. SRS would make grants to local initiatives that address the objectives of the bill and would be required to report the number of program participants, program expenditures, and a cost-savings analysis annually to the Legislature. The fiscal note on **SB 128** estimates a cost of \$748,042 from the State General Fund (SGF) with total cost from all funds of \$797,938. SRS estimates the need for the addition of 1.0 full-time equivalency (FTE) position for a program consultant position (Attachment 1).

Senator Faust-Goudeau appeared before the Committee in support of **SB 128** (Attachment 2). Senator Faust-Goudeau stated the importance of having fathers involved in their child's life, not only financially but also emotionally.

Don Jordan, Secretary, Department of Social and Rehabilitation Services (SRS), presented neutral testimony on **SB 128** (Attachment 3). Secretary Jordan stated that if the legislation becomes law, the agency will work through grants to local communities to support new initiatives and programs that address the goals. The Secretary noted that it might be possible to finance the program with federal funding through the Temporary Assistance to Needy Families (TANF) funds. The Secretary indicated that the program could be run through local not-for-profit organizations. Secretary Jordan noted that **HB 2276**, currently before the Legislature, has similar language; however, specifies that funding would come from TANF.

There were no other conferees to come before the Committee on **SB 128**.

The hearing on SB 128 was closed.

Update on Sexual Predator Treatment Program and Expansion

Ray Dalton, Deputy Secretary, Department of Social and Rehabilitation Services (SRS), appeared before the Committee with additional information on the Sexual Predator Treatment Program as requested by the Committee (Attachment 4). Mr. Dalton's testimony includes a synopsis of treatment programs in South Carolina, Massachusetts and Florida. Mr. Dalton noted that although they were not able to get details of the South Carolina program, SRS estimates that the South Carolina program costs approximately \$89,270 per resident per year. The Massachusetts program is housed in a Department of Corrections' facility with an approximate annual cost of \$43,500 per resident. Because the program is co-mingled with Department of

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Corrections' costs, it could be more costly per resident than the estimate. The Florida program is run on a contracted basis by the GEO Group, a large organization that provides a variety of services, including mental health, to the entities with which it contracts. The estimated annual per capita costs for the program is approximately \$50,000 per individual. Mr. Dalton noted that Florida has built a facility specifically for the sexual predator population, making it more cost effective because they are all housed in one building.

Deputy Secretary Dalton felt that Kansas has a very cost-effective program with per capita costs declining over the past fiscal year. The annual per capita cost of the Kansas program is approximately \$70,430.

Responding to questions from the Committee, Mr. Dalton stated that it is necessary to keep the sexual predator population separated from other prison populations. The state's sexual predator population has been housed in Department of Corrections' (DOC) facilities that were not needed by DOC at the time and has been moved several times as DOC requirements changed. It is anticipated if additional DOC space becomes available, it could be remodeled to house the population in one building, which would be more cost-effective. Deputy Secretary Dalton indicated that the treatment programs are a combination of individual and group sessions, with no set number of hours required for each individual.

Secretary Jordan stated that the treatment program is designed to establish a balance between the federal court requirements and the costs of the program. The federal court requires that the state provide an adequate treatment program.

- The Committee requested a breakdown of the contractual expense related to outside medical costs.

Overview of Texas Sexually Violent Predator Program

Ray Dalton provided an overview of the Texas Sexually Violent Predator Program ([Attachment 5](#)). Mr. Dalton noted that the Texas program is an outpatient program that has been in place since September 1999. The program was chosen strictly to control costs. There are no specific sentencing guidelines for sex offenders in Texas. The Deputy Secretary noted that 35 participants of the program have violated their outpatient treatment orders and were sent back to prison. To date, no one has successfully completed the program.

Adjournment

The next meeting is scheduled for February 11, 2009.

The meeting was adjourned at 11:20 a.m.