



## Justice Reinvestment State Brief: **Kansas**



**This brief is part of a series for state policymakers interested in learning how particular states across the country have employed a data-driven strategy called justice reinvestment to better manage corrections spending, increase public safety, and redirect some of the savings toward efforts that will improve conditions in the neighborhoods to which most people released from prison return. Over the past two years, Kansas policymakers worked with the Council of State Governments Justice Center, and with the support of the Bureau of Justice Assistance, a component of the U.S. Department of Justice, and the Public Safety Performance Project of The Pew Charitable Trusts' Center on the States, to pursue a justice reinvestment strategy.<sup>1</sup>**

### Highlights

- The prison population in Kansas was projected to increase 22 percent by 2016 at a cost of approximately \$500 million in additional construction and operating costs.
- An analysis of the prison population identified high rates of failure on community supervision and low rates of in-prison program completion as key factors driving the projected growth.
- To reduce recidivism rates, state lawmakers enacted both a 60-day credit for people in prison who complete certain programs and a grant program for local community corrections agencies to increase success rates among those under supervision by 20 percent. The measures are expected to avert \$80 million in state spending over the next five years.
- Policymakers reinvested \$7 million of the projected savings in additional treatment programs and efforts to improve community-based supervision, and are focusing these efforts on high-crime neighborhoods.
- State, county, city, and community leaders are collaborating on the New Communities Initiative, a major neighborhood reinvestment project.

1. The JEHT Foundation recently awarded the Kansas Department of Corrections a \$4.67 million multi-year grant to support the state's prison reentry and risk reduction efforts. The Open Society Institute has provided significant support to state, county, and city leaders who are working together to develop the New Communities Initiative.

Criminal justice policy in Kansas has long been regarded as “tough and smart.” It is tough because serious and violent offenders are held in prison for long terms. It is smart because policymakers have made research-driven decisions about which offenders can be safely and effectively supervised in community corrections programs. This combination has allowed Kansas to curb spending on prison construction while ensuring space is available to keep violent offenders behind bars.

Nonetheless, criminal justice policies enacted in 2006 which increased sentence lengths, along with other developments, were poised to place this balanced criminal justice policy framework under significant pressure. With the prison population projected to increase by 22 percent, policymakers were faced with the prospect of appropriating nearly \$500 million over ten years to build and operate approximately 1,292 additional prison beds. Kansas policymakers instead identified another path and applied a justice reinvestment strategy.

**“If we do not address the problem today, we are effectively deciding to spend hundreds of millions of dollars on future construction and operation of more prisons...Kansas will miss the opportunity to become safer.”**

**— STATE SENATOR JOHN VRATIL, R-OVERLAND PARK,  
CHAIR, JUDICIARY COMMITTEE**

**STEP  
1**

## Analyze the Prison Population and Spending in the Communities to Which People in Prison Often Return

In 2006, state policymakers in Kansas requested intensive technical assistance from the Council of State Governments Justice Center. In response, the Justice Center provided state officials with an analysis of the prison population that identified the factors driving the projected 22 percent increase in the prison population:

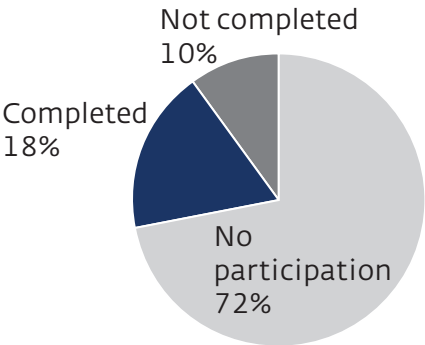
- In FY 2006, probation and parole revocations accounted for 65 percent of prison admissions, consuming 27 percent of prison capacity at a cost to taxpayers of \$53 million annually.<sup>2</sup>
- That same year, 90 percent of revocations were for conditions violations, with alcohol or drug use accounting for 32 percent of parole revocations. Additionally, 58 percent of people revoked on probation supervision demonstrated a need for substance abuse or mental health treatment.<sup>3</sup>

- Most people were released from prison without participating in programs that could reduce their risk of reoffending. Half of people in need of substance abuse treatment and 72 percent of people needing vocational education did not participate in relevant risk reduction programs prior to their release from prison.<sup>4</sup>

“We’ve got a broken corrections system. Recidivism rates are too high and create too much of a financial burden on states without protecting public safety. My state and others are reinventing how we do business by employing justice reinvestment strategies that can put our taxpayers’ dollars to better use.”  
— U.S. SENATOR SAM BROWNBACK, R-KANSAS

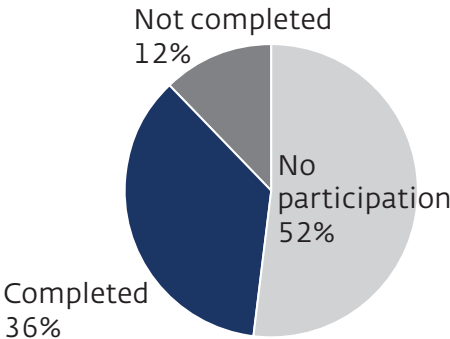
### Offenders in Need of Vocational Education:

Program participation & completion prior to release



### Offenders in Need of Substance Abuse Treatment:

Program participation & completion prior to release



2. Dr. Tony Fabelo, “Tough and Smart: Opportunities for Kansas Policymakers to Reduce Crime and Spending,” Presentation, December 12, 2006.

3. Dr. Fred Osher, “Kansas’ Opportunity to Improve Public Safety Through Effective Treatment,” Presentation, February 5, 2007.

4. Ibid; Department of Corrections Analysis, October 2006. Ibid; Department of Corrections Analysis, October 2006.

**STEP  
2**

## Identify Options to Generate Savings and Increase Public Safety

Following the analysis of the prison population, leaders in the state legislature established a bipartisan legislative task force and worked with the Justice Center to identify policy options that would increase public safety by reducing recidivism and avert as much of the projected prison growth as possible.

To gain a sense of public attitudes toward these and related issues, state legislators commissioned a public opinion survey, which revealed that despite the enactment of various laws designed to incarcerate serious, violent offenders for longer periods of time, most Kansans continued to believe, incorrectly, that people currently sentenced to prison serve less time in prison than they did 10 years ago.<sup>5</sup>

The same poll results also showed that Kansans overwhelmingly supported providing substance abuse treatment to people in prison, and assumed, again incorrectly, that such services were widely available behind the walls. When told that strategies designed to keep offenders from failing on probation and ending up in prison could be employed to avert growth in the population, the vast majority of Kansans preferred these strategies or the combination of these strategies with some prison construction over only building more prisons.<sup>6</sup>

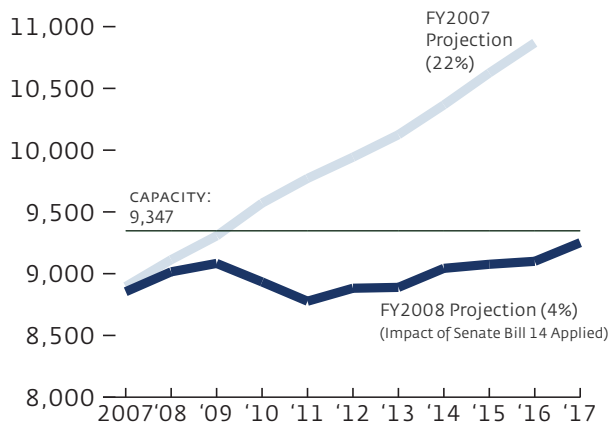
At the recommendation of the task force, in May 2007, the Kansas Legislature approved a package of criminal justice legislation which included:

- creation of a performance-based grant program for community corrections programs to design local strategies to reduce revocations by 20 percent;
- establishment of a 60-day program credit to increase the number of people who successfully complete educational, vocational, and treatment programs prior to release; and
- restoration of earned time credits for good behavior for nonviolent offenders.<sup>7</sup>

“We’ve already spent millions ensuring that Kansans are safe by locking up offenders for longer periods of time. Now it’s time to make Kansas safer by making sure that when offenders inevitably finish their sentences, they are productive taxpaying members of our community.”

— STATE REPRESENTATIVE MICHAEL O’NEAL, R-HUTCHINSON, CHAIR, JUDICIARY COMMITTEE

**Kansas Projected Prison Population (FY2007 & FY2008)**



5. Council of State Governments Justice Center, “Kansas Criminal Justice Public Opinion Survey,” April 2007. The Survey Research Center at the Institute for Policy and Social Research at the

University of Kansas conducted the polling. The survey results are available at: <http://justice.reinvestment.org/states/kansas/pubmaps-ks>.

6. Ibid.

7. Kansas Legislature, Senate Bill 14, “An Act Concerning the Department of Corrections,” enacted 2007. For full text of bill, see <http://www.kslegislature.org/bills/2008/14.pdf>.

**STEP  
3**

## Quantify Savings and Reinvest in Select High-Stakes Communities

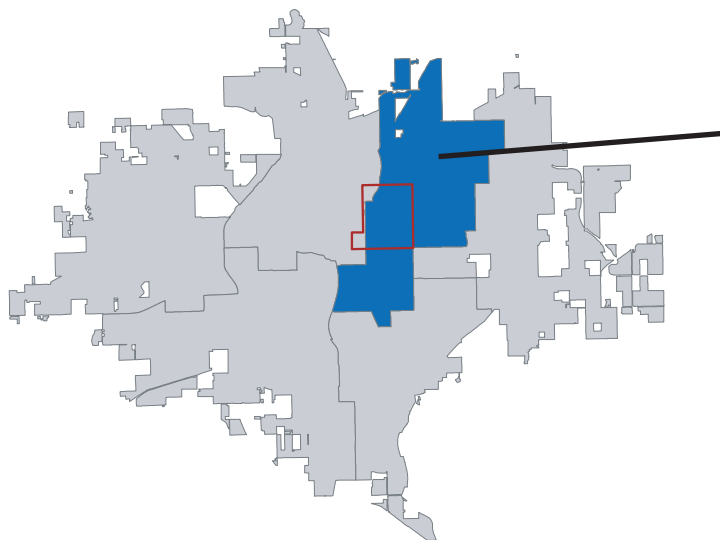
If the new policies are implemented successfully, the state of Kansas will avoid having to build 1,292 additional prison beds over the next 10 years and save \$80.2 million over 5 years in averted construction and operating costs.<sup>8</sup> As part of the legislative package enacted, policymakers appropriated \$4.5 million to reinvest in the community corrections grant program and \$2.4 million to reinvest in substance abuse and vocational programs.<sup>9</sup>

Data collected and analyzed through the technical assistance made available by the Justice Center prompted state agencies to establish the New Communities Initiative (NCI), a major neighborhood reinvestment project in Wichita, coordinated by state, county, community, and city leaders. Geographic analyses of Wichita revealed that in 2004, Kansas taxpayers spent \$11.4 million to incarcerate people from a single neighborhood, as well as an additional \$8.7 million on food stamps,

unemployment insurance, and Temporary Assistance to Families. To integrate these funding streams and achieve better outcomes for this collective set of resources, NCI leaders are designing a common set of strategies around these issue areas: children and youth, behavioral and physical health, adult education and economic vitality, safe and secure communities, and housing, which has been identified as a key issue given the high incidence of dangerous and neglected housing in the area.

“Reducing recidivism helps fight crime in the short-term. In the long-term it frees up resources to reinvest in neighborhood-based strategies which improve conditions for the whole community.”

— REPRESENTATIVE JANICE PAULS (D-HUTCHINSON),  
RANKING MINORITY LEADER, JUDICIARY COMMITTEE



State spending on corrections for people sent to prison from Wichita is approximately \$28.9 million annually. Of that sum, 39 percent (\$11.4 million) is spent on offenders who lived in a single district—Council District 1. In that same district, \$8.7 million in additional taxpayer dollars is spent on food stamps, unemployment insurance, and Temporary Assistance to Families. (The area outlined in red denotes the boundaries of the New Communities Initiative).

8. This figure is dependent on when the state decides to build additional facilities.

9. The package also included bonding authority to build prisons should it become necessary,

although based on the plan enacted, the state may not have to build for 5 years.

**STEP  
4**

## **Measure the Impact and Enhance Accountability**

For the state of Kansas to realize the objectives in the legislative package, state and local government officials will need to address several challenges. The statute’s goal of reducing probation revocations, for example, will require unprecedented levels of collaboration among judges, community-based treatment providers, community corrections agencies and other local stakeholders. Together, these groups must design new, effective supervision strategies, which are tailored to the unique aspects of their counties to improve the success of people on supervision.

No single state agency can coordinate these efforts across the counties, as they require support and leadership from multiple state and local systems. People under supervision must be connected to community-based mental health and substance abuse treatment, housing, and employment—

services all funded by distinct state agencies. Similarly, the NCI seeks to bring together funding streams and services from multiple state agencies in order to realign those resources around a common set of neighborhood-based strategies for improving public safety and the quality of life of all residents.

To centralize accountability and integrate the efforts of these distinct government agencies, state policymakers established the Kansas Reentry Policy Council (KRPC), which maintains a statewide, multi-system vision for reducing recidivism. The KRPC includes the secretaries of five cabinet agencies, leaders of the judiciary, and designees of the legislative leadership. It will collect information and report to the legislature about the state’s progress in establishing and realizing a comprehensive risk reduction and reentry plan.

**“Building more prisons does not solve our problems. We must continue to identify and pursue the most cost-effective ways of reducing recidivism and increasing public safety.”**

**— GOVERNOR KATHLEEN SEBELIUS, D**



To learn more about the justice reinvestment strategy in Kansas and other states, please visit:  
[www.justicereinvestment.org](http://www.justicereinvestment.org).

## JUSTICE★CENTER

THE COUNCIL OF STATE GOVERNMENTS

The Council of State Governments Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. The Justice Center provides practical, nonpartisan advice and consensus driven strategies, informed by available evidence, to increase public safety and strengthen communities.



**BJA** Bureau of Justice Assistance



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To learn more about the Bureau of Justice Assistance, please visit: <http://www.ojp.usdoj.gov/BJA/>.

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To learn more about the Public Safety Performance Project, please visit: <http://www.pewpublicsafety.org/>.

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