

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, October 23, 2023**

The meeting of the Public Works and Safety Standing Committee was held on Monday, October 23, 2023, at 5:00 p.m. The following members were present: Commissioners Bynum, Johnson, Markley, Kane, and BPU Board Member Groneman. Commissioner Ramirez was absent. The following officials were also in attendance: Phillip Lockman, Director of Community Corrections; and Monica Sparks, Deputy UG Clerk.

Chairman Bynum said before I call our meeting to order, I do want to announce that some of our committee members, staff, and public are attending remotely as well as on site. All participants that are remote please mute your phones when you're not speaking to avoid background noise. During the meeting, please make sure you announce yourself by name and title when you speak so the public knows who's speaking. When you're speaking, please make sure you speak directly into the microphone so that our comments are heard and recorded for the record. This is critical given the number of remote participants and it's also guidance from our Kansas Attorney General.

The public is allowed to participate by Zoom or submit comments by email prior to the meeting. Those comments will be included in the record of the meeting. The public can also indicate their intent to provide remote public comment by contacting our Clerk by 5:00 PM the Thursday prior to the meeting or have an opportunity to provide brief comments either by phone or Zoom from the 5th Floor Conference Room here in the Municipal Office Building.

Chairman Bynum called the meeting to order. Roll call was taken and all members were present as shown above.

Chairman Bynum said we have heard that perhaps Commissioner Ramirez will be delayed and should be joining us here pretty soon.

Chairman Bynum said we do not have revisions to our agenda this evening and we also don't have any minutes to approve.

COMMITTEE AGENDA**Item No. 1 – 212775...PRESENTATION: COMMUNITY CORRECTIONS PRESENTATION AND FISCAL YEAR 2023 REPORT**

Synopsis: Discussion and presentation regarding services, duties and responsibilities of Community Corrections. Fiscal Year 2023 Kansas Department of Corrections year-end report for Adult and Juvenile Divisions of Community Corrections, submitted by Phillip Lockman, Director of Community Corrections.

Chairman Bynum said I will say that I'm sorry Commissioner Ramirez is going to be late, it was his request to have the presentation. So, we'll just have to direct him to go back and watch it.

Philip Lockman, Director of Community Corrections, said part of the reason for this also is, traditionally, the Department of Corrections, we have to file a report for adults and a report for juvenile yearly. It's just basically goals and objectives and some outcomes. Unfortunately, the way they structure it it's in an Excel format. It does not print worth a darn and it just looks horrible, so I apologize for that at the onset. This report is just more of an FYI for them. They have all the numbers already and a lot of the information, but it's more of us doing it. Traditionally, the Mayor has signed off on that, just as notice that he had seen it and read it. The Mayor felt like that he wanted this to go in front of the Commission. It's not really an approval, it's more of just you being able to see it and get some questions if you have them over it.

To start off with, I'll just quickly describe the Department of Community Corrections. We have about 55 employees, four divisions. We have an Adult Services Division that handles adult felonies. Also, our Drug Court, two drug courts and our Behavioral Health Court. We have Programs and they're the ones that supply the staff for the drug courts, but also our cognitive education and other programming. We have Pre-Trial House Arrest which they provide electronic monitoring for adults and use to get them out of detention. Also, they do pre-trial supervision, bond supervision, case expediting, and they actually track every offender that's in the adult jail, knowing why they're there. That sounds strange, you know, to think that you might not know, but when you have 500 plus offenders in a jail it's not easy to quickly ascertain why are they there actually because about 80% of them are there for more than one reason. That's the reason this jail

can get stagnant because you have external bonds or holds from other counties, other states, interstate compact, state parole.

Then, we have our Youth Services and they provide supervision to youth under our supervision, but also we're responsible for the youth in the correctional facility and their parole out of the correctional facility.

I'll start off with the juvenile report. I'm just going to just go over generalities on it. Some of our goals were to implement restorative justice more effectively in our district and that service actually involves working with the youth, their family, and the community to try to get better outcomes than just a Judge or Probation Officer working with that youth. It's a process. Usually involves mediation sometimes between a parent and youth, sometimes between the youth and the victim. Although, that's a tough one sometimes because there's a lot of hard feelings out there when a crime has been committed.

Also, we've gone through the process this last year, we've actually gotten staff certified in mediation through the State Supreme Court, also parent adolescent mediation. For years we've been involved in the reduction of the number of youth in our holding in our detention center. Part of that was through the Juvenile Detention Alternatives Initiative, where we work with kids and families to keep them out of there, but if they get in, to try to get those ones that are low risk out so they can get to services and start working with the families prior to going to court. That's one of the big parts of this that we've implemented, is that we work—when a youth gets into detention, one of our staff members is over there that day or the next day, and they're about the first person that the kid sees from outside of the detention center. We work with them, trying to apprise them, especially what's going to happen to them, what's the process? We get paperwork going faster, especially if they need an attorney appointed for them and other things, so that paperwork is all done before they see the judge the next day, which really expedites the process. Because, for whatever reason, every kid that goes into detention is going to get out and if they're going to get out let's get them out as fast as we can. It saves the county money, but it also gives us the ability to work with that family and kid and hopefully get a better outcome for them. I'm talking about low-risk kids here. I'm not talking about high-risk, dangerous kids or the high-risk adults.

We've also implemented a Violation Review Roundtable, is what we're calling it. We've done it on the adult side for probably 15 years. It's a step in between a probation officer just filing a probation violation and the kid going to court and then going to a correctional facility or to

wherever. What this is, we get a group of our staff together with people from District Court, Service Providers, drug and alcohol providers that we have on staff, and mental health people. We tried to say, is there another thing that we can do here? We're not talking about a kid that has a new criminal offense that's a felony, but we're talking about kids that aren't going to school, they're testing positive for drugs, they're not following through, or sometimes it's the parents aren't following through. We don't have much coercive action with them, but we can sure bring them in and try to talk to them, talk about the kid, and what they need. So we've implemented that this year. We've had two of those sessions and they've gone well and I know we've got a couple more planned in the next couple weeks.

The other thing that we're always working on is trying to improve outcomes. With the youth it's a little harder because quite honestly 10 years ago, 12 years ago, I had about 450 kids to keep track of. That number is down to about 100 now and District Court has some too. So what's happened is those low risk kids that we did more harm to them than good, I'm talking about the shoplifters and things like that. Instead of being locked up and going through the system, we've got other ways to deal with those kids to try to keep them out. But the kids that we have now, there's some pretty high level of trauma, high level of drug addiction, mental illness, and so they're real rough bunch to deal with at times. They're the ones that a lot of times that would have gone to a youth correctional facility. In the past, it was not uncommon for us to have 80 to 90 kids, maybe 100 kids at one point, in the correctional facility in Topeka. Well, now that number is closer to 30, and believe me, those kids need to be there generally speaking. They're the higher risk kids that that need that structure and to get some services at the state level. We're trying to improve our outcomes, but it's really tough when you talk about those kinds of kids.

So, the programs that we've implemented, the restorative justice, mediation, the family intervention, we also do parenting education out in the community, and we partner with some subgrantees that we have, Heartland 180, Connections to Success, Jegna. We have the case expediting portion, like I had said about us going into the facility and try to get the case moving, but we also do day reporting. What that is, when a youth is suspended from school, they come to us, and so we provide an environment where we're working with them, not just busy work where we're giving them stuff to draw, but we actually use—we have cognitive education. People that go in and work with them on working on their issues and their problems. Also, we call it MRT, Moral Recognition Therapy, which is a way of dealing with people and kids. It's been found to be the

number one most cost-effective outcome in working with offenders. You basically talk to them about—an example, you know, if the boss comes over to you and starts yelling at you because you're doing it wrong and you just throw your stuff on the ground and walk out. Well, we take that situation and say, well, okay, what are the other alternatives to that? And you do it in a classroom setting where the other kids or the other adults kind of have those same bad thinking errors. You know, they think, well, heck, I'll just walk out. I'm done. Well, that doesn't work too well in real life. It's a good process that works them through it. It's stuff that a lot of people go through when they're kids, quite honestly, when you have parents that set structure, rules, and role models, you're seeing that on a daily basis, or you do it because you're working and other things. But a lot of these kids and these adults just have not had that experience because their homes were nonexistent at times or there were so many issues, drug and alcohol addiction or criminality going on in the house, that it's our second swipe at them to try to get them some of that, what we would all call practical knowledge. You know, how to get what you want, but in a positive way, as opposed to acting like a fool, generally speaking.

On the adult side of the report it's a little bit shorter, but one of the main things with the Department of Corrections was to achieve—they want us to achieve or maintain a 75% success rate. Success rate with the Department of Corrections through the Community Corrections Act is defined as not going to prison. So if someone goes to prison because of a revocation from probation or they have a new criminal offense, that's considered unsuccessful. Just as an example, when I came here in '95 our failure rate for adults was about 65% went to prison. Today 80% don't go to prison. I think that's worked out, I can't imagine that getting much higher than that because the people we deal with. Quite honestly, we're in the services in the field, so a lot of those initial people already just went straight to prison from their offense. The ones that were later, the violent, dangerous people. We get a couple that sneak in once in a while, but that's made an enormous difference. Those outcomes in an amount of offenders sitting in the jail waiting to go to prison or waiting there because of a probation violation are drastically down from years ago, what we used to do.

We've always—and I haven't seen the exact numbers this year, but in the last five years I know Johnson County and Sedgwick County, our numbers—we've outperformed Sedgwick and Johnson County on that number by at least 3-8%. Sedgwick County by about 15%. That's pretty good when you look at the amount of money that Sedgwick and Johnson personally inject into

the corrections system. They have residential facilities that they pay for and things like that. Plus, our revocation from a new offense is about 6%, of our failures 6% commit a new crime, and theirs are significantly higher, anywhere from 8%, to 10%, to 12%. I think we fair pretty good on that. So we've continued through that.

The other issue we had had prior that we had to deal with in this report was the number of referrals going to our Drug Courts. We have two drug courts and one Behavioral Health Court. They were down for quite a while, but a lot of that was the result of COVID and staffing issues. We had at one point during COVID, I think we had 5 adult officers and today I have 11. That makes a big difference when you're just trying to survive and stay above water to be able to get the other stuff done. But the big reduction or the improvement in our success rate, a lot of that's tied into the drug courts and the Behavioral Health Court. We have two drug courts going now and we have two Probation Officers, and this year we were able to convert another position to a Probation Officer because we have about 15—we're about 15, 18, above what we should be. So we're going to have three full-time courts going which I think is pretty significant, and the Behavioral Health Court. The thing to know, though, about our drug courts is that we're a little bit of a different animal. Most, probably 85% to 90% of all drug courts are pre-dispositional, they're prior to you being sentenced, their diversion oriented. You know, you're arrested, you come in, you do these things, you go through this, then we'll release you, and you won't have that conviction. Well, our Drug Courts and Behavioral Health Court are 100% post-conviction. 100% of these adults would have gone to prison if it were not for this program. It's voluntary because they know that it is harder than regular probation, but hopefully the people that make that decision have done it because they know they want some help and I think that's a big part of why we're getting through it. We're getting them later in the game, they're older and they're a little bit tired, and they're ready at that point to get some help. That's made a big difference in the amount of failures we have through our service.

Plus, we've implemented the Moral Recognition Therapy. We're going through trainings here soon over motivational interviewing. We do that a lot, that's just basically the same thing most cops use or therapists. It's basically when you're talking to people and interviewing them, it's a way to elaborate information from them in a better way that you get more of the complete picture of what's really going on instead of jumping all over them and getting the middle of their stuff. It's a way to ask questions so that you can actually find out more than they normally would have ever

told you. That's important to us, because we use risk instruments, both in the adults, in the juvenile side. They give us a numerical score which has made a big difference in our outcomes as well, so that we can score people low-middle, high-middle, and then high risk, and we know who to focus our attention on, which is the people in the middle. I think that's played into our success rate too. Are there any questions about anything?

Chairman Bynum said I have some questions and probably some comments. Community Corrections comprises juvenile, adult probation, correct? And kind of auxiliary these other services, I don't want to misspeak. Are there more departments that are actually within Community Corrections? **Mr. Lockman** said we absorbed Pre-Trial House Arrest, which they have 10 staff. I provide one grant employee that's a Surveillance Officer for youth, but nine employees are all general funded, and we manage that department too. Brenda Leiker is the Administrator of it.

Chairman Bynum said how many employees is it, I mean, I think it's fairly big, isn't it? **Mr. Lockman** said we have 55. **Chairman Bynum** said total? **Mr. Lockman** said give or take. Plus, we're probably 80-85% grant funded. We have contracts with service providers that come in on site. We have drug and alcohol treatment on site, mental health staff liaison that's on staff and we pay those contracts through third party providers.

Chairman Bynum said when you say 85% grant funded, are those grants coming to you primarily through the state? **Mr. Lockman** said yes, the only grants we receive at this time are through the Department of Corrections. When I say the word grant, I'm kind of using that loosely. Community Corrections, we've been in this county for over 45 years. In adults and juvenile it's by statute, we have to exist. Community Corrections has to exist for adult and juveniles in every Judicial District. So our granting process and what part of this paperwork is, is really not like a normal grant process in that we're competing against everyone else. If anyone, we're competing against the legislature at times because they determine the funding level. Then that's distributed amongst the 30 districts. We did receive, two years ago, we got almost \$900,000 addition, and we were able to bring our employees pay level comparable to the rest of the state. Since then, we only have, right now, about four openings, five openings. All of our staff out of the 55, 50 have bachelor's or master's degrees. Even our two Administrative Assistants, both have master's degrees. So we tend to get higher education group.

Chairman Bynum said part of the reason I'm asking is because I think it's really interesting. Like, for example, your entire department is 85% grant funded, yet that's money that's flowing to you from the Department of Corrections and you are doing state mandated work, which I feel like a lot of the county-side operations in our Unified Government are similar, by way of the things they are doing are mandated by state law. Such as the administration of the jail, or the work of the District Attorney, or the work of the Election Commissioner, or even in the Motor Vehicle Office. Those are all functions where the state says the county shall. The question that I was going to ask just was, you might be another example of a county department that is funded by county tax dollars doing state mandated work, but I'm glad to hear that it's possible that only about 15% of your budget is coming from a local tax dollar. I don't want to misspeak, so I would ask you to clarify that.

Mr. Lockman said the things that we're using Drug and Alcohol Tax and General Fund money for—General Fund money pays for those nine positions in Pre-Trial, which coexisted with us before we supervised them. The main point of that is that they're reducing jail population every day. They have about 400 people under supervision and they're getting people out day and night. So that's really kind of a cost savings there. We receive money for our Behavioral Health Court for a Probation Officer and a Supervisor. Then our staff that runs the drug courts, the state does not mandate that we do behavior specialty courts and so that's the money that we're using locally for those.

For Pre-Trial, that's coming out of the General Fund. But also, there are statutes—and I just offhand, that talks about—I mean, the Community Corrections Act came into effect about the time of court unification in the mid-70s. Prior to that every Judge, Court Reporter, Probation Officer were paid by the county. They were supervised. The county provided all of the office space training and everything for it. When courts unified in the 70s, the Office of Judicial Administration was created at the state level and they took over the personnel costs, but the counties remained as to paying the office space for those Court Services employees, Judges, all their travel, training, their office space, and court space. So that was kind of, you know, they were trying to split the baby and that was kind of what they came up with. But in our case, the county money that we're doing isn't necessarily being done to provide the things that we're required to do. It's more the things that if we didn't have it, we just wouldn't be able to do it. The specialty courts are the big things. **Chairman Bynum** said and those are paying dividends for us.

Mr. Lockman said yes, yes. And it all goes—our number one thing is public safety. I know people can hear me talk about what we do, and you think we're all just, you know, huggy and make everybody feel good, but that's not the case. Our number one priority is public safety, but the thing about public safety is that sometimes you decrease public safety by sending some people to prison and some kids to correctional facilities because they don't need to be there and you make things worse for them. Even in detention, a lot of studies—like you take those low risk shoplifters and kids like that, and you put them in detention, you reinforce that belief with them that, hey, I'm a criminal, and there's already that belief out in the community because there's some families that just have that family trajectory in the history of, you know, uncle went to prison, dad went to prison. It's not a big deal. I think that's what over the last few years we've been able to break with us and there hasn't been a massive crime influx with kids being hauled into detention. I think it's really by what we do, we improve public safety. If we know someone's out there and they're high risk, we're watching them, and we jump on them like a drop on them like a sack of potatoes if something's going wrong. We work with the judges really closely, but I think that overall what we do really benefits the community a lot. Especially because we're using that money, especially on the juvenile side, we do what's called a parenting project and we work with our community partners.

We're providing education to parents that aren't even in the system and the kids that aren't in the system and talking to them about how to deal with those strong-willed kids that don't want to respond to them and those kinds of things. We're really getting involved in a lot of areas that really, you know, the Department of Corrections probably wouldn't be too sold on if they really got into it because they think that prevention and those kinds of dollars just aren't that high on their radar. But I think that the services that are provided—and it's every place in the county—I mean, you know you can look at, like I said, Sedgwick and Johnson County. Johnson County probably puts \$8 million of General Fund money into their Correctional Facility and their services. They provide services that are—but like I said, they haven't gotten the outcomes either. Money's not the answer to everything. It's quality of staff, quality of education, training, working with people, and really holding people accountable, both the offender and our staffs.

Chairman Bynum said I appreciate that very much. Are there other comments or questions for Mr. Lockman? Clerk, is there anyone online from the public that wants to comment? **Ms. Sparks**

said no hands are raised. **Chairman Bynum** said anyone appearing here in person that wishes to make any comment? Okay. Thank you so much for joining us and giving us the information. It probably should be annual, I really appreciate it. It was information only and it is the only item on this agenda.

Action: For information only.

Adjourn

Chairman Bynum said that concludes this meeting for tonight, and I would take a motion to adjourn Public Works and Safety.

Action: **Commissioner Markley made a motion, seconded by Commissioner Groneman, to adjourn.** Roll call was taken and there were five “Ayes,” Groneman, Kane, Markley, Johnson, Bynum.

The meeting was adjourned at 5:28 p.m.

RM