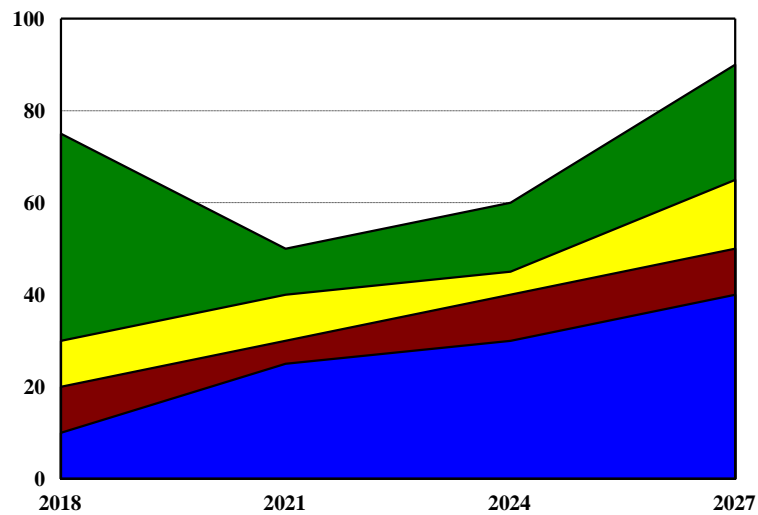


KANSAS SENTENCING COMMISSION

Fiscal Year 2018 Adult Inmate Prison Population Projections

Prison Population Projections



September 2017

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OVERVIEW OF FY 2018 PRISON POPULATION PROJECTIONS

Prison Population and Admission

Kansas prison population in FY 2017 showed an increase of 140 inmates or 1.4% when compared with that of FY 2016. In review of Kansas ten-year prison population trend, the FY 2017 prison population indicated the second largest increase since FY 2008. In FY 2017, 9,803 inmates were incarcerated in state prison, indicating an increase of 1,165 inmates from FY 2008 prison population.¹

When compared the offender groups incarcerated in prison between FY 2016 and FY 2017, the largest increase in FY 2017 was drug offenders, showing a 7.6% increase or 104 inmates. Offgrid, nondrug severity levels 4 to 6, nonviolent offenders (N7 to N10) and prison sanctions from probation indicated an increase by 42, 31 and 27 respectively. Pre-guideline (old law) inmates also indicated an increase by 26 inmates.

FY 2017 prison admissions indicated an increase of 5.4% or 333 admissions from last year and 24.8% or 1,292 admissions when compared with that of FY 2013.² The increase in admission was due to the admissions of prison sanctions from probation, which is part of the Justice Reinvestment Initiative bill (HB 2170) passed in 2013. The admission of prison sanctions in FY 2017 showed an 18.8% increase from FY 2016 and a 269% increase when compared to FY 2014. In FY 2017, direct new court commitments, probation condition violators and parole/postrelease condition violators consisted of 69.3% of prison admissions, indicating a decrease of 12.4% when compared with that of FY 2014, the first year of implementation of HB 2170. The three admission types in FY 2014 accounted for 81.7% of the total prison admissions.³

Further examining the admissions types, direct new court commitments to prisons in FY 2017 indicated an increase of 4.3% or 85 admissions when compared with that of FY 2016. The prison admissions of probation condition violators in FY 2017 indicated an increase of 4.2% when compared with that of FY 2016. The number of parole/postrelease condition violators admitted to prison demonstrated a decrease in FY 2017. When compared with the numbers of last year and five years ago, parole/postrelease condition violators admitted to prison decreased by 2.9% and 2.7% respectively.

Prison admissions of probation violators with new sentences in FY 2017 indicated a 2.7% increase when compared with FY 2016 and 71.7% from that of FY 2013. Probation violators with new convictions showed a 3.2% decrease from that of FY 2016. Parole/postrelease supervision violators with new sentences admitted to prison in FY 2017 indicated an increase of 34.2% from that of FY 2016, the largest increase since FY 2013.

¹ See Figure 12, Page 36.

² See Table 13, Page 34.

³ See Table 14, Page 35.

Length of Sentence and Stay

The average of length of sentence and stay of each severity level in FY 2017 varied. When compared with FY 2016, the average length of sentence of drug offenders indicated an increase of less than one month. However when compared with that of 5 years ago, it showed a 3.4 months increase. The average length of sentence of nondrug severity level 3 demonstrated the largest increase during FY 2017 by 12 months when compared with that in FY 2016. Since FY 2013, the average length of sentence of this group has increased by 21 months. The average length of nondrug severity level 2 indicated the largest decrease by 49 months in FY 2017, when compared with that in FY 2016, but an increase by 32.5 months when compared with that in FY 2013. The average length of sentence of nondrug severity level 4 showed an increase by 3 months when compared with that in FY 2016 and five years ago. The average length of sentences of other nondrug severity levels stayed relatively stable over the last five years.⁴

In FY 2017, the average length of stay in prison was 22 months for drug offenders, indicating a decrease by half month when compared with that in FY 2016. The average length of stay of nonviolent offenders (N7 to N10) remained the same as FY 2016 (10.9 months). The average length of stay of violent crime offenders (offgrid and N1 to N3) demonstrated a decrease by 13 months when compared with that in FY 2016. The average length of stay of less violent offenders (N4 to N6) displayed an increase by 1.4 months when compared with that in FY 2016. The average length of stay for guideline postrelease supervision condition violators in FY 2017 was 4.4 months (134 days), 6 days more than the average length of stay in FY 2016. The average length of stay for pre-guideline parole condition violators in FY 2017 was 33.8 months, indicating a decrease of 2.9 months from the length of stay observed during FY 2016. Probation condition violators stayed in prison for an average 10.8 months, a decrease of half a month when compared with that in FY 2016.

Based on the 6,342 inmates released from prison in FY 2017, 45% of them (2,839 inmates) were eligible for program credits and 86% of those eligible earned program credits. Of the 86%, 10.1% of them earned 60 days; 9.9% earned 90 days and 64.8% were credited for 120 days. These program credits reduced the length of stay of the inmates by 2, 3, and 4 months respectively.

Forecast

In examining the estimated prison bed needs by offender group, the largest increase in number is found in the drug offender group over the ten-year forecast period with an increase of 437 inmates. The second largest increase of prison population is the violent inmate group with an increase of 387 inmates over the ten-year forecast period. This is due to the longer length of sentences to serve. The third largest increase of prison population is found in the group of the less violent inmates (N4 to N6) with an increase of 322 inmates. The fourth largest increase in the prison population for the ten-year forecast period is the offgrid offenders with an increase of 258 inmates. The increase of the offgrid prison population is the continuous impact of Jessica's Law (2006 Senate Substitute for House Bill 2567). According to Jessica's Law, some child sex

⁴ See Table 5, Page 12.

offenses previously classified in nondrug severity levels 1, 2, 3 and 5 are reclassified as offgrid offenses with a minimum sentence of not less than 300 months (Hard 25). This reclassification also increases the offgrid admissions to prison. The increase of prison population of the nonviolent offenders (N7 to N10) over the ten-year forecast period is accounted as the fifth group. The increase of this group is due to the special sentencing rules that have played an important role in this group.

Probation condition violators, parole/postrelease condition violators and prison sanction from probation indicate the less increase over the ten-year forecast period with an increase of 72, 29 and 7 inmates respectively. Pre-guideline (old law) offenders will decrease by 20 inmates during the ten year forecast period.⁵

Previously, probation condition violators admitted to prison were required to serve their underlying prison sentence. HB 2170 enacted on July 1, 2013 requires probation condition violators to serve graduated sanctions instead of the underlying prison sentence, which includes: the intermediate sanction of confinement in jail for 2-3 days at a time and up to a total of 18 days. If the violator already has at least one intermediate sanction of confinement in jail, the court may remand the defendant to the custody of the Kansas Department of Corrections (KDOC) for a period of 120 days or 180 days, which the Secretary may reduce by up to 60 days or 90 days (this penalty cannot be imposed more than once during the term of supervision). If the violator already has been remanded to KDOC custody for a period of 120 or 180 days, the court may revoke probation, assignment to community corrections, suspension of sentence, or nonprison sanction and require the defendant to serve the sentence imposed or any lesser sentence. Graduated sanctions for probation condition violators would reduce the prison population of this offense group while the prison sanction from probation would require additional prison beds for this group. It is estimated that during the ten-year forecast period, the prison population of sanction from probation will increase to 144 inmates, an increase of 5.1% or 7 additional inmates from FY 2017.

HB 2170 also requires that probation condition violators who are released from prison after July 1, 2013, will receive postrelease supervision term. As a result, parole/postrelease condition violator population will slowly increase during the ten-year forecast period with an increase of 5.3% or 29 inmates over the FY 2017 prison population.

Pre-guideline (old law) inmate population, excluding old law offgrid, will gradually decrease over the ten-year forecast period. It is estimated that the population of this group will reduce by 20 inmates in 2027, which is not as expected in the previous years' forecast due to the longer length of stays in FY 2017.

Overall, the FY 2017 prison population projections indicate that prison population will increase during the forecast period. By FY 2027, total prison population will reach 11,455 inmates, an increase of 1,652 inmates or 16.9% over the current population level.⁶ Offgrid and nondrug severity levels 1, 2 and 3 inmates will account for 38.9% of the projected prison population in FY 2027. Nondrug severity levels 4, 5 and 6 inmates will make up 17.8% and

⁵ See Table 9, Page 16.

⁶ See Table 9, Page 16.

nonviolent inmates (N7 to N10) will consist of 9.8% of the projected prison population in FY 2027. The projected drug inmate prison population will represent 16.7% while parole/postrelease supervision condition violators will make up 5% of the forecasted prison population in FY 2027. Pre-guideline (old law) population, not including old law offgrid offenders, will account for 1.2% in FY 2027. Probation condition violators will make up 9.4% while prison sanction from probation offenders will account for 1.3 % of the projected population in FY 2027.

By FY 2027, male prison population will increase to 10,407 inmates, an increase of 16.4% or 1,468 inmates from the FY 2017 population. Female prison population will increase to 1,048 inmates, an increase of 184 inmates or 21.3% by FY 2027. Male inmates will account for 91% while female inmates will consist of 9% of the forecasted prison population in FY 2027.⁷

METHODS AND ASSUMPTIONS

Source of Data Used for the Projections

Data utilized for the FY 2018 prison population projections are based on the most recent felony sentencing information and current prison information from FY 2017. This data includes the automated and non-automated data files collected from the Kansas Department of Corrections (KDOC) and the FY 2017 felony journal entry sentencing information collected by the Kansas Sentencing Commission (KSSC). Data provided by KDOC includes:

1. Prison admissions
2. Prison populations
3. Prison releases
4. Parole/postrelease supervision populations
5. Parole/postrelease supervision discharges
6. Parole hearing decisions
7. KDOC monthly offender population reports
8. Prison and jail sanctions from probation

Data collected by the KSSC includes:

1. Prison sentences
2. Probation sentences
3. Probation revocations

The above combined data sources provide the information for the Prison Projection Consensus Group to make the final decisions regarding assumptions that must be built into the model. The sentencing journal entry databases from the KSSC provide sentencing trends that impact policy changes. The prison admission file contains each individual admission event with the type of admission, the length of sentence, jail credit, special sentencing rule applied, departure information, and concurrent or consecutive sentences applied. The prison population stock file provides additional information which is used by the Prison Projection Consensus Group as well as characteristics of the June 30 incarceration population. The prison release file informs the Consensus Group of the type of release and the actual length of stay for each individual inmate. Parole/postrelease supervision and parole hearing files provide information

⁷ See Figures 2 & 3, Page 18 & 19.

regarding parole population, parole discharges, parole hearing decisions, and waiting time between each parole hearing. KDOC Monthly Offender Population Reports are utilized to monitor actual prison monthly population compared to the projections.

Consensus Group

In an attempt to formulate the most accurate assumptions, the Sentencing Commission utilizes a Prison Population Consensus Group to review and establish the final set of assumptions that are utilized in building the simulation model. Members of the Consensus Group represent various criminal justice agencies which play a role in processing an individual through the criminal justice system. Members contribute their agencies' expertise regarding formal and informal procedures and provide relevant information and data on specific issues or practices which may affect prison population.

Members of the FY 2018 Prison Population Projection Consensus Group:

Browne, Ebo	Kansas Sentencing Commission
Chang, Kunlun	Kansas Sentencing Commission
Norwood, Secretary Joe	Kansas Department of Corrections
McNeal, Marie	Kansas Department of Corrections
Ogletree, Jonathan	Kansas Department of Corrections
Rice, Liz	Kansas Department of Corrections
Schultz, Scott	Kansas Sentencing Commission

The Consensus Group held two meetings to review sentencing trends, identify policy changes that may affect future prison bed needs and identify assumptions to be incorporated into the forecast model.

FY 2018 Prison Population Projection Assumptions

1. The model begins on July 1, 2017.
2. The model is based on FY 2017 data (July 1, 2016 - June 30, 2017).
3. This prison population projection is for a ten-year forecasting period (FY 2018 to FY 2027).
4. The projection model is designed to simulate all new commitments to prison, from FY 2018 and forward, under sentencing guidelines, with a determinate sentence length.
5. Admission Trends:
 - a) New Court Commitments. Direct new court commitments to prison in FY 2017 (offenders not on any type of supervision at the time of conviction and subsequent admission to prison) indicated an increase of 4.3% or 85 admissions when compared to FY 2016. Compared with FY 2013, the admissions to prison indicate an increase of 9.3% or 177 admissions. FY 2013 displayed a total of 1,894 admissions; FY 2014 showed a total of 1,844 admissions; FY 2015 indicated 1,922 admissions; FY 2016 indicated a total of 1,986 admissions and FY 2017 demonstrated a total of 2,071 admissions.
 - b) Probation Condition Violators. In FY 2017, 1,229 probation condition violators were admitted to prison, indicating an increase of 4.2% or 49 admissions from FY 2016 and a decrease of 24.6% or 400 admissions from FY 2013. Probation condition violators admitted to prison during the five years were: 1,629 in FY 2013, 1,368 in FY 2014, 1,321 in FY 2015, 1,180 in FY 2016 and 1,229 in FY 2017. Of the 1,229 probation condition violators, 123 or 10 % offenders received prison sanctions before full revocation. Eighty-five of them received 120-day and 38 received 180-day sanctions
 - c) Prison Sanctions for Probation Condition Violators. In FY 2017, 1,161 probation condition violators (293 females and 868 males) received 1,192 prison sanctions. Thirty-one of the 1,161 offenders received two prison sanctions, including seven females and 24 males. Twenty-four of them received one 120-day and one 180-day sanctions and seven received two 120-day sanctions. Of the 1,192 prison sanctions, 727 were 120 days; 464 were 180 days; one was 300 days. The average length of stay in prison was 36 days for the 120 days, 63 days for the 180 days, 140 days for the 300 days sanction. The number of prison sanctions in FY 2017 increased by 18.8% when compared to last year.
 - d) Probation Violators with New Sentence. Probation violators with a new sentence in FY 2017 indicated a 2.7% increase, an increase of 9 violators from last year. When compared with FY 2013 number, it indicated an increase of 71.7% or 142 admissions. The number of probation violator with new sentence in the past five years were: 198 in FY 2013, 257 in FY 2014, 331 in FY 2015 and FY 2016 and 340 in FY 2017.
 - e) Probation Violators with New Conviction. In FY 2017, probation violators with new conviction decreased by 3.2% or 6 admissions when compared with that of FY 2016.

Probation violators with new conviction were separated from probation condition violators in FY 2014 due to KDOC new computation rules.

- f) Total New Commitments: Rate of Growth.⁸ The total new commitments of the above groups including the group of prison sanctions in FY 2017 increased by 7% or 326 admissions when compared with that of 2016. In the past ten years, the growth rates for new commitments are as follows:

FY 2007 to FY 2008	-5.1%
FY 2008 to FY 2009	-0.1%
FY 2009 to FY 2010	13.3%
FY 2010 to FY 2011	0.1%
FY 2011 to FY 2012	3.4%
FY 2012 to FY 2013	-3.0%
FY 2013 to FY 2014	5.5%
FY 2014 to FY 2015	3.9%
FY 2015 to FY 2016	5.8%
FY 2016 to FY 2017	7.0%
<i>Average yearly growth rate (FY 2008 to FY 2017)</i>	3.1%

Last year, the consensus group agreed to use 1.5% annual growth for male and 2% for female in FY 2017 model. The consensus group agreed to use 1.5% annual growth rate for male and 2.5% for female in the FY 2018 Model.

6. Guideline postrelease supervision condition violators may serve up to 180 days. The average length of stay for this group was 144 days in FY 2013, 132 days in FY 2014, 123 days in FY 2015 and 128 days in FY 2016. The consensus group agreed to use 123 days for this group in the FY 2017 model. The actual average length of stay in FY 2017 was 132 days. The consensus group agreed to use the 132 days average length of stay for this group in the FY 2018 model.
7. In FY 2017, a total of 1,201 parole/postrelease and conditional release condition violators were returned to prison, indicating a decrease of 36 offenders when compared to last year. The consensus group agreed to use the return rate of 102 offenders per month for this group last year. The actual average rate of parole/postrelease and conditional release condition violators was 100 offenders per month, indicating a decrease of one admission per month. The consensus group agreed to use the return rate of 100 offenders per month for this group in the FY 2018 Model.
8. In FY 2017, a total of 195 parole/postrelease violators with new sentences were admitted to prison, representing an increase of 33.6% or 49 admissions when compared with the admissions of FY 2016. In review of the past five years' data, parole/postrelease violators with new sentence in FY 2017 indicated the highest in numbers. (FY 2013-177, FY 2014-185, FY 2015-151, FY 2016-146 and FY 2017-195). Last year, the consensus group agreed

⁸ Growth rate includes prison sanctions.

to use 146 returns in FY 2017 model. The consensus group agreed to use 195 returns with new sentence in the FY 2018 Model.

KEY FINDINGS OF FISCAL YEAR 2017 DATA

1. A total number of 9,803 offenders were incarcerated in KDOC on June 30, 2017, representing an increase of 140 offenders when compared with that of FY 2016. Of the total number, 9,310 were guideline offenders, 483 were pre-guideline offenders and 10 offenders whose guideline status was unknown. Nearly all the pre-guideline offenders were offgrid, nondrug severity levels 1 to 3 offenders and parole condition violators, presenting 98% of this group.
2. In FY 2017, 6,497 offenders were admitted to prison, representing the highest number in the past five years. Of those 6,497 offenders, new commitments (including prison sanction from probation) accounted for 77% or 4,960 admissions, which included 31.9% direct new court commitments, 18.9% probation condition violators, 18.3% prison sanctions, 5.2% probation violators with new sentence and 2.8% new conviction.
3. Compared with FY 2016, the total number of new commitments sentenced to prison in FY 2017 increased by 7% or 326 admissions. Among the total of new commitments to prison, direct new court commitments accounted for 2,071 admissions, demonstrating an increase of 4.3% or 85 admissions. Probation condition violators indicated an increase of 4.2% or 49 admissions. This was the first time increase of probation condition violators since the implementation of HB 2170. Prison sanctions from probation increased by 18.8% or 189 sanctions. Probation violators with new sentence showed an increase of 2.7% or 9 offenders. Probation violators with new conviction displayed a decrease of 3.2% or 6 admissions.
4. In FY 2017, 1,161 probation condition violators (293 females and 868 males) received a total of 1,192 prison sanctions. Of the 1,192 sanctions, 727 were 120 days; 464 were 180 days and one was 300 days. Thirty-one offenders received two prison sanctions, including seven females and 24 males. The average length of stay in prison was 36 days for the 120 days; 63 days for the 180 days and 140 days for the 300 days sanction.
5. Parole/post-release condition violators and conditional release violators made up 18.5% or 1,201 admissions of the total admissions in FY 2017, indicating a decrease of 2.9% from that of FY 2016 or 36 admissions.
6. The average length of sentence of probation condition violators in FY 2017 was 21.2 months. The average jail credit was 191 days or 6.3 months and the average length of stay in prison was 10.8 months. These numbers had no significant changes from last year. Further examination of this group displayed that 91% of them were offenders ranging from drug severity levels 3 to 5 and nondrug severity levels 7 to 10. This trend has not been changed from previous years.

7. The average length of stay in prison for pre-guideline parole condition violators in FY 2017 was calculated to be 33.8 months, indicating a decrease of 2.9 months from the length of stay observed during FY 2016 (36.7 months). The average length of stay for the guideline postrelease supervision condition violators in FY 2017 was 4.4 months (134 days), 6 days more than the average length of stay in FY 2016 (4.2 months or 128 days).
8. Compared with FY 2016, the average lengths of sentence of the guideline nondrug sentences in FY 2017 increased by 12 months at severity level 3, 3.3 months at severity level 4, 1.4 months at severity levels 5 and 9. The average sentence lengths decreased by 49.2 months for severity level 2, 2.8 months for severity level 6 and 1.2 months for severity level 7. The average lengths of severity levels 1, 8 and 10 indicated an increase by less than one month. The number of admissions of nondrug severity levels 1, 6, 7, 8 and 9 increased by 11, 63, 28, 2 and 57 respectively. The number of admissions of severity levels 2, 3, 4, 5 and 10 decreased by 2, 8, 1, 43 and 16 respectively.
9. During FY 2017, the admissions of parole/postrelease condition violators with new sentences (including conditional release violators with new felony sentences) indicated a decrease of 36 admissions or 2.9% when compared with the returns in FY 2016 (1,201 vs. 1,237).
10. In FY 2017, 1,134 drug offenders were admitted to prison, indicating an increase of 148 admissions when compared with that of FY 2016. Of this number, 533 were new court commitments, 430 probation condition violators, 115 probation violators with new sentence and 56 probation violators with new conviction. The average length of the drug sentences was 35.5 months, indicating an increase of 0.9 months (35.5 vs. 34.6).

**Table 1: Prison Population Characteristics
6/30/2017**

Severity Level	Pre-Guideline		Guideline		Total	
	Number	Percent	Number	Percent	Number	Percent
D1	0	0.0%	209	2.1%	209	2.1%
D2	0	0.0%	197	2.0%	197	2.0%
D3	1	0.0%	390	4.0%	391	4.0%
D4	0	0.0%	173	1.8%	173	1.8%
D5	0	0.0%	505	5.2%	505	5.2%
N1	82	0.8%	1026	10.5%	1108	11.3%
N2	59	0.6%	232	2.4%	291	3.0%
N3	46	0.5%	1158	11.8%	1204	12.3%
N4	2	0.0%	326	3.3%	328	3.3%
N5	2	0.0%	1091	11.1%	1093	11.1%
N6	0	0.0%	297	3.0%	297	3.0%
N7	2	0.0%	562	5.7%	564	5.8%
N8	0	0.0%	143	1.5%	143	1.5%
N9	0	0.0%	234	2.4%	234	2.4%
N10	0	0.0%	8	0.1%	8	0.1%
Offgrid	176	1.8%	1184	12.1%	1360	13.9%
Probation Condition Violators	1	0.0%	1003	10.2%	1004	10.2%
Sanction from Probation	0	0.0%	137	1.4%	137	1.4%
Parole/Postrelease Condition Violators	112	1.1%	435	4.4%	547	5.6%
Subtotal	483	4.9%	9310	95.0%	9793	99.9%
Nongrid/Unknown					10	0.1%
Total					9803	100.0%

Source: DOC prison population file.

Table 2: Comparison of Actual Prison Population between FY 2016 And FY 2017

Offender Group	2016	2017	Difference
Drug	1370	1474	104
N1 to N3	2464	2416	-48
N4 to N6	1683	1714	31
N7 to N10	930	957	27
Sanction from Probation	110	137	27
Probation Condition Violators	1033	1004	-29
Offgrid Including Old Law Lifer	1318	1360	42
Parole/Post Release Violators	587	547	-40
Old Law Inmates	168	194	26
Total	9663	9803	140

Table 3: Guideline Admission Characteristics - FY 2017

Severity Level	Number Admitted	Percent Admitted	Average Sentence (Months)	Jail Credit (Days)	Probation Condition Violators (%)	Probation Violators w/New Sentence (%)
D1	14	0.3%	121.2	223.2	0.0	0.0
D2	64	1.3%	89.5	197.6	10.9	9.4
D3	174	3.5%	53.6	167.2	14.9	6.3
D4	171	3.4%	27.8	173.0	34.5	5.8
D5	711	14.2%	26.4	179.1	47.5	12.4
N1	85	1.7%	276.1	434.5	0.0	2.4
N2	16	0.3%	170.4	331.1	0.0	0.0
N3	165	3.3%	115.6	370.8	6.1	4.2
N4	85	1.7%	80.1	299.5	9.4	5.9
N5	332	6.6%	60.8	268.4	15.1	12.3
N6	210	4.2%	37.7	213.8	16.2	11.4
N7	585	11.7%	28.7	216.0	37.9	11.5
N8	322	6.4%	18.6	167.1	42.9	11.2
N9	723	14.4%	14.4	138.0	43.2	5.4
N10	59	1.2%	10.0	119.8	37.3	1.7
Offgrid	95	1.9%	-	-	N/A	N/A
Sanction	1192	23.8%	-	-	N/A	N/A
Nongrid/ Unknown	11	0.2%				
Total	5014	100.0%				

Source: DOC admission file.

**Table 4: Comparison of Guideline New Commitments
Admissions to Prison by Severity Level and Drug Offense
FY 2013, FY 2016 and FY 2017**

Severity Level & Offense	FY 2013	FY 2016	FY 2017	Difference Between 2013 & 2017	Difference Between 2016 & 2017
N1	88	74	85	-3	11
N2	11	18	16	5	-2
N3	196	173	165	-31	-8
N4	76	86	85	9	-1
N5	394	375	332	-62	-43
N6	126	147	210	84	63
N7	659	557	585	-74	28
N8	349	320	322	-27	2
N9	654	666	723	69	57
N10	79	75	59	-20	-16
Drug	986	1098	1134	148	36
Total	3618	3589	3716	98	127

Source: DOC admission file.

Note: New commitments include direct new court admissions, condition probation violators, and probation violators with new sentence/ new conviction.

**Table 5: Average Length of Sentence by Severity Level and Drug Offense
FY 2013, FY 2016 and FY 2017**

Severity Level & Offense	FY2013	FY 2016	FY 2017	Difference Between 2013 & 2017 (Month)	Difference Between 2016 & 2017 (Month)
N1	266.4	275.3	276.1	9.7	0.8
N2	137.9	219.6	170.4	32.5	-49.2
N3	94.8	103.6	115.6	20.8	12.0
N4	76.9	76.8	80.1	3.2	3.3
N5	56.6	59.4	60.8	4.2	1.4
N6	40.3	40.5	37.7	-2.6	-2.8
N7	27.0	29.9	28.7	1.7	-1.2
N8	16.9	18.4	18.6	1.7	0.2
N9	12.6	13.0	14.4	1.8	1.4
N10	9.0	9.5	10.0	1.0	0.5
Drug	32.1	34.6	35.5	3.4	0.9

Source: DOC admission file.

**Table 6: Comparison Between FY 2016 and FY 2017 Prison Admission By Type
Female**

Admission Type	2016	2017	Number Change	Percent Change
New Court Commitment	189	223	34	18.0%
Probation Condition Violator	263	300	37	14.1%
Prison Sanction	252	300	48	19.0%
Probation Violator With New Sentence	54	40	-14	-25.9%
Probation Violator With New Conviction	47	45	-2	-4.3%
Parole/Post-release Condition Violator	104	105	1	1.0%
Parole/Post-release Violator With New Sentence	13	13	0	0.0%
Other	14	20	6	42.9%
Total Admission	936	1046	110	11.8%
End of Year Population	825	864	39	4.7%

**Table 7: Comparison Between FY 2016 and FY 2017 Prison Admission By Type
Male**

Admission Type	2016	2017	Number Change	Percent Change
New Court Commitment	1797	1848	51	2.8%
Probation Condition Violator	917	929	12	1.3%
Prison Sanction	751	892	141	18.8%
Probation Violator With New Sentence	277	300	23	8.3%
Probation Violator With New Conviction	141	137	-4	-2.8%
Parole/Post-release Condition Violator	1133	1096	-37	-3.3%
Parole/Post-release Violator With New Sentence	132	182	50	37.9%
Other	80	66	-14	-17.5%
Total Admission	5228	5450	222	4.2%
End of Year Population	8838	8939	101	1.1%

**Table 8: Comparative Analysis of
Condition Parole/Post Release Supervision Violators
Between FY 2016 and FY 2017**

Law	Number of Admission				Average Length of Stay in Month			
	FY 2016	FY 2017	Change #	Change %	FY 2016	FY 2017	Change #	Change %
Guideline	1200	1164	-36	-3.0%	4.2	4.4	0.2	4.8%
Pre-guideline	37	36	-1	-2.7%	36.7	33.8	-2.9	-7.9%
Total	1237	1200	-37	-3.0%				

Source: DOC admission and release files.

FY 2018 PRISON POPULATION PROJECTIONS

Table 9: FY 2018 Prison Population Projection by Offender Group

Offender Group	2017*	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	# Change	% Change
Drug	1475	1570	1632	1537	1659	1687	1779	1811	1829	1862	1912	437	29.6%
N1 to N3	2455	2484	2526	2587	2606	2620	2691	2711	2748	2781	2842	387	15.8%
N4 to N6	1715	1818	1871	1872	1897	1844	1904	1984	1985	2018	2037	322	18.8%
N7 to N10	957	981	985	873	966	965	1034	1047	1085	1100	1117	160	16.7%
Sanction	137	168	138	154	160	139	163	161	156	167	144	7	5.1%
Probation Condition Violators	1004	1054	1064	1052	1077	1072	1038	1078	1084	1085	1076	72	7.2%
Offgrid Including Old Law Lifer	1360	1377	1413	1446	1480	1517	1544	1569	1575	1602	1618	258	19.0%
Parole/Post Release Violators	547	528	542	540	541	573	557	559	569	580	576	29	5.3%
Old Law Inmates	153	150	150	148	145	141	139	138	136	135	133	-20	-13.1%
Total	9803	10130	10321	10209	10531	10558	10849	11058	11167	11330	11455	1652	16.9%

* Actual prison population on June 30, 2017.

Figure 1: Kansas Prison Population - Actual and Projected

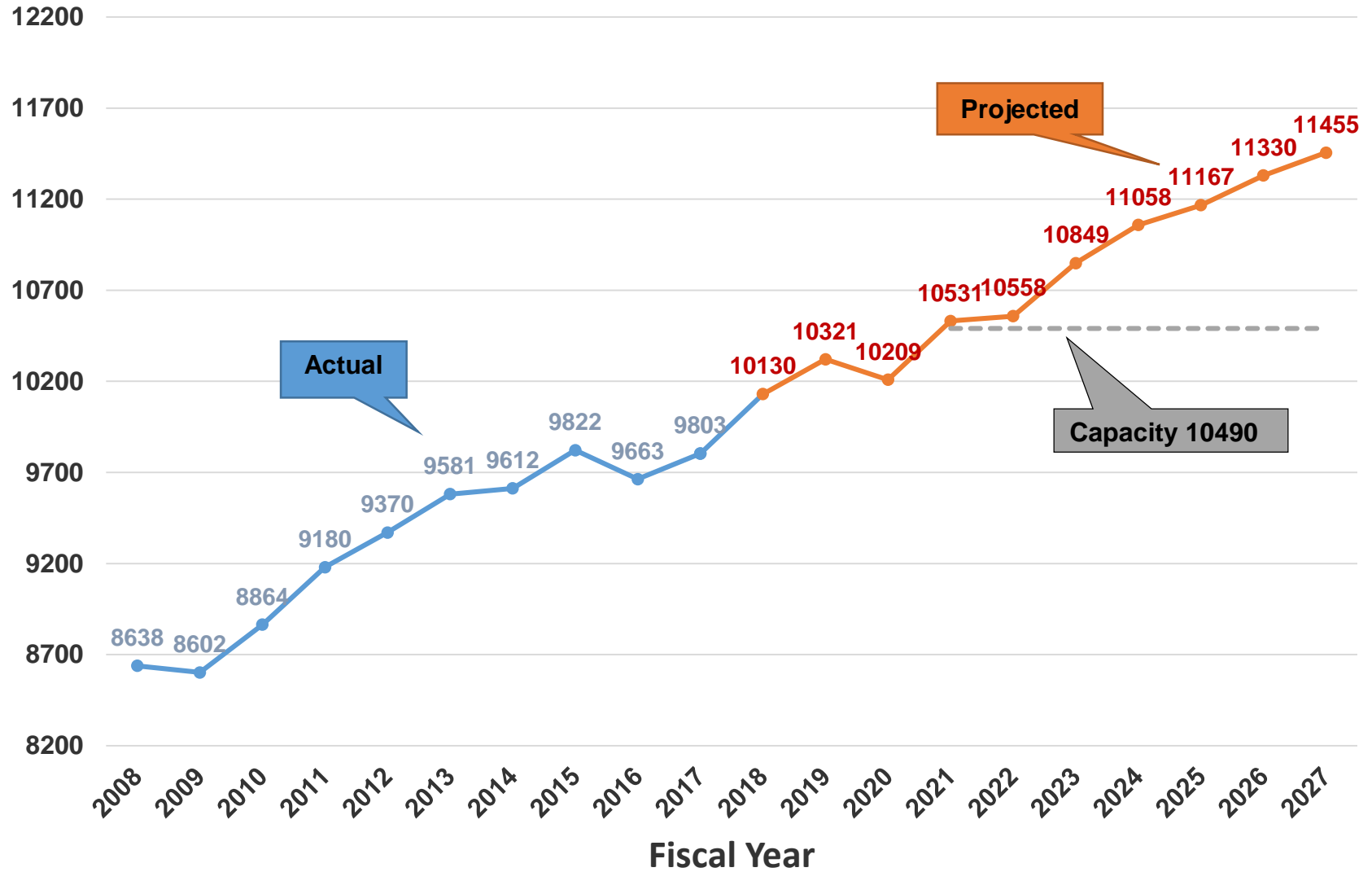


Figure 2: Male Prison Population - Actual and Projected

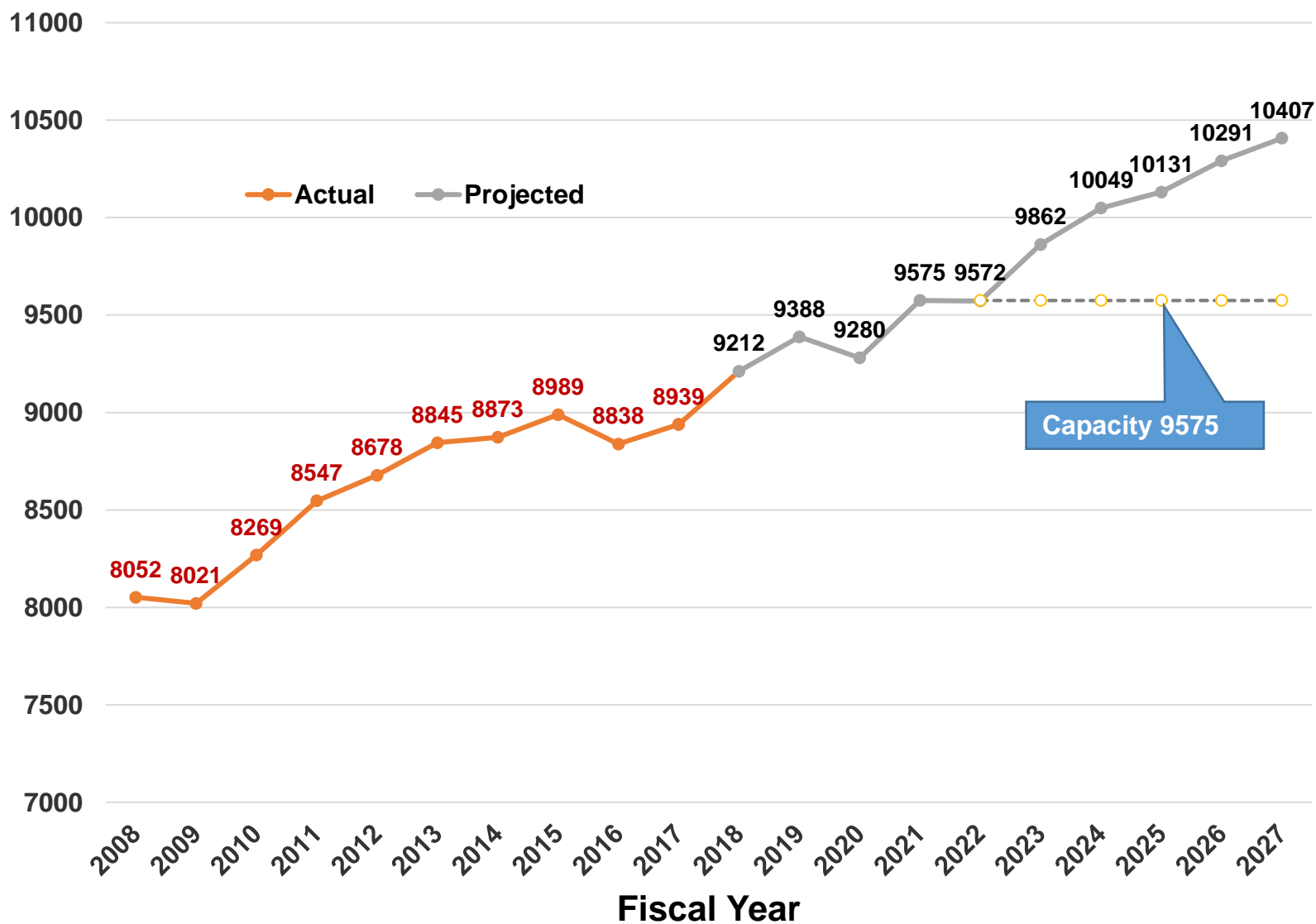


Figure 3: Female Prison Population - Actual and Projected

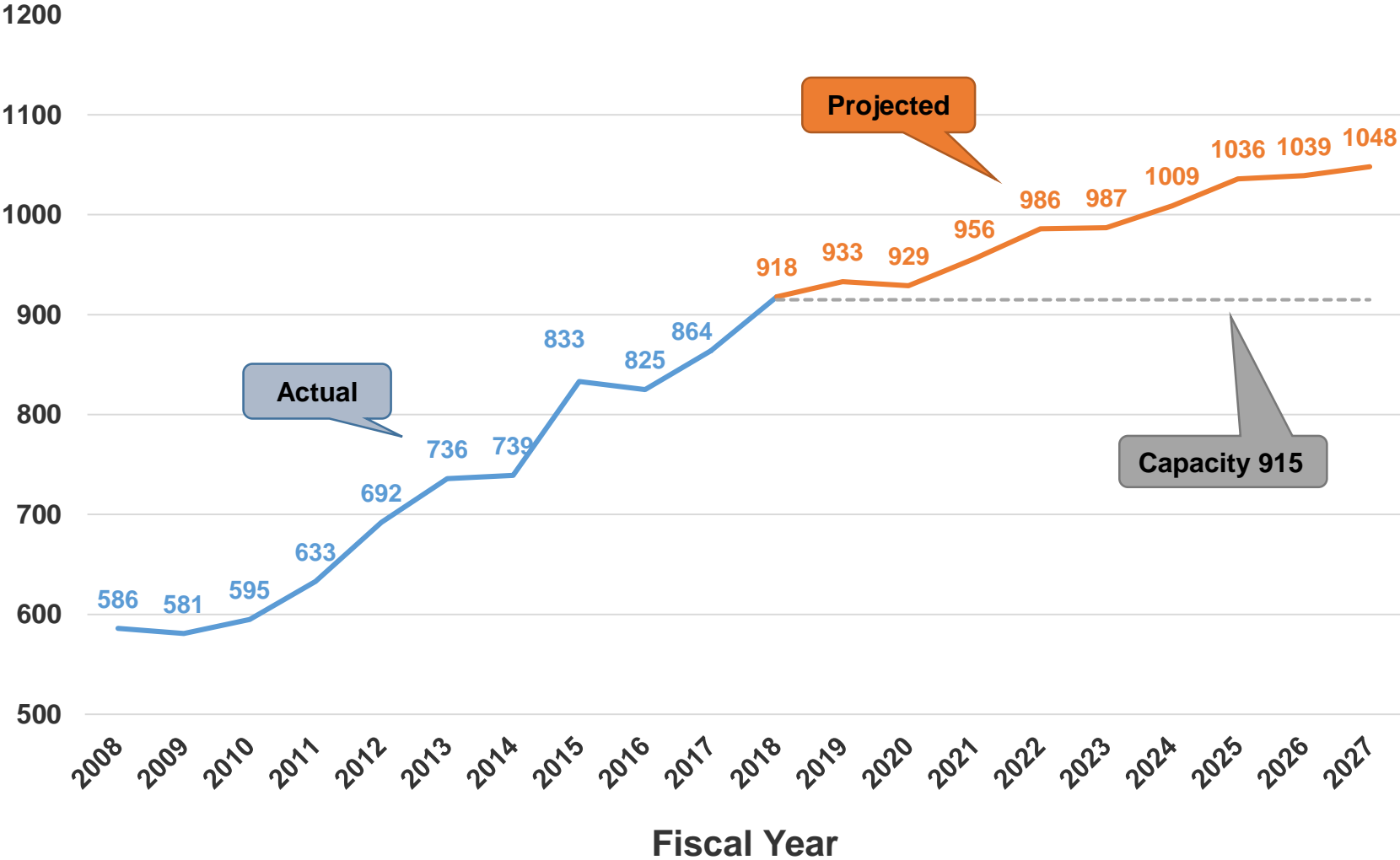
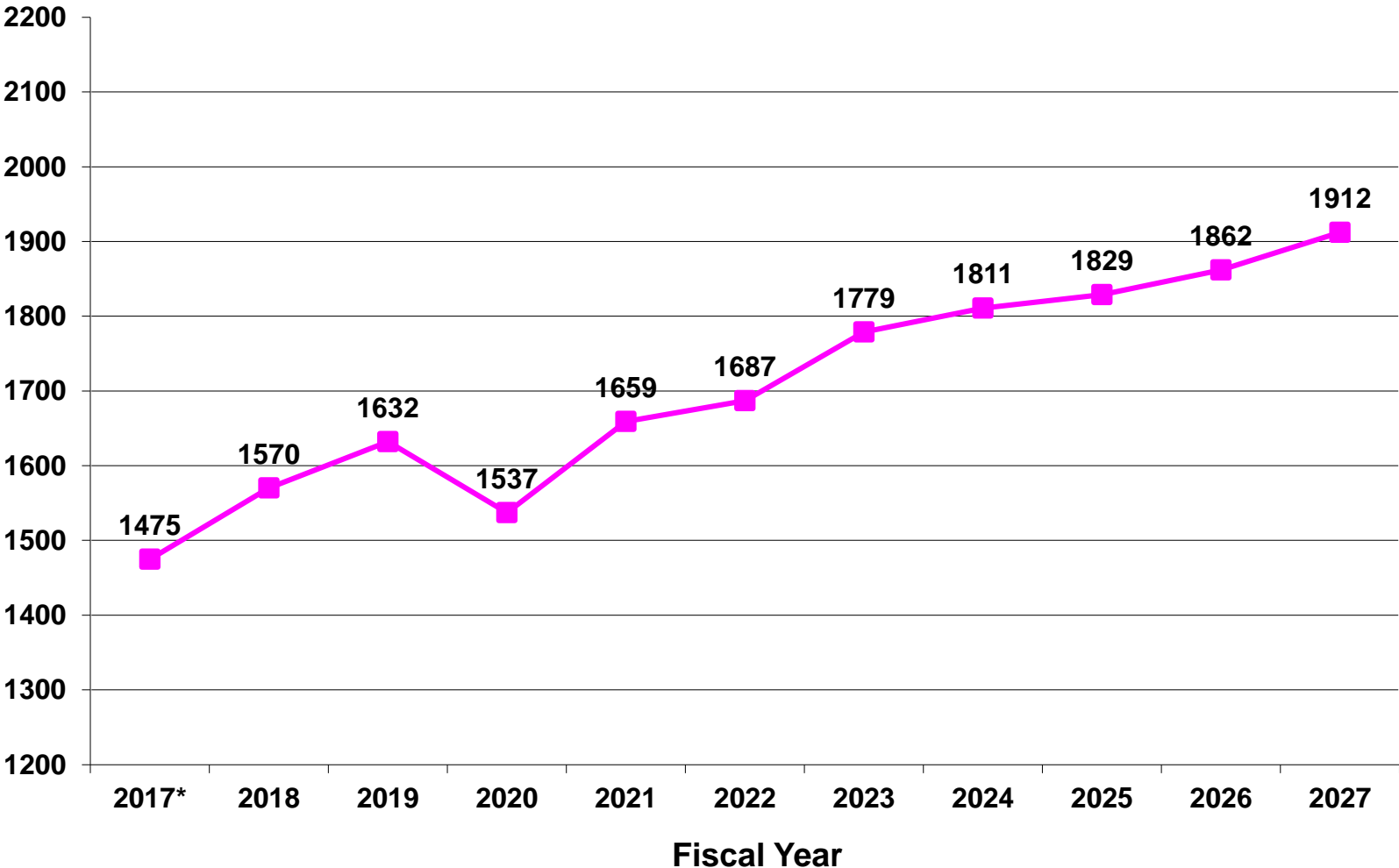
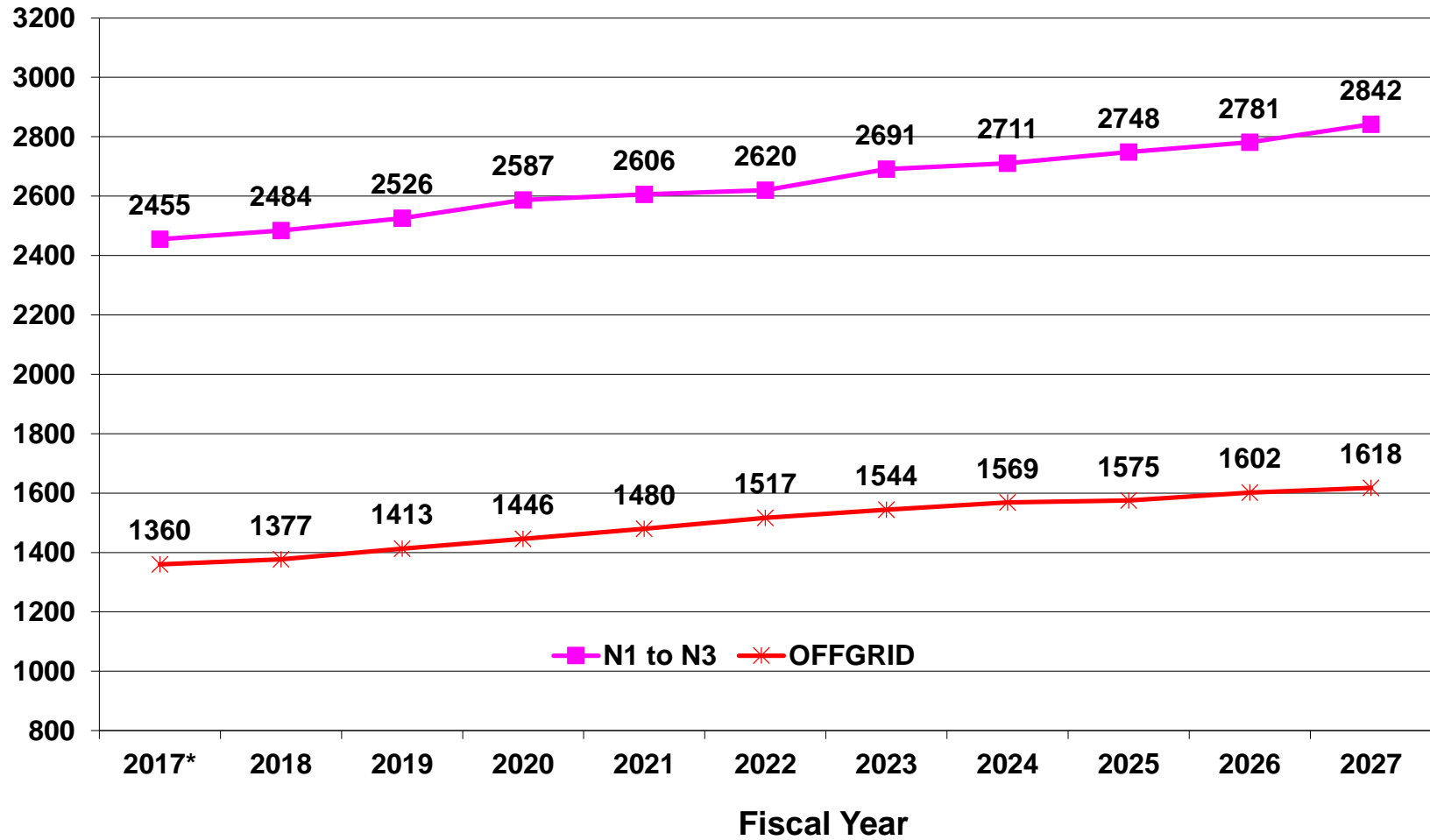


Figure 4: Projected Drug Inmate Prison Population



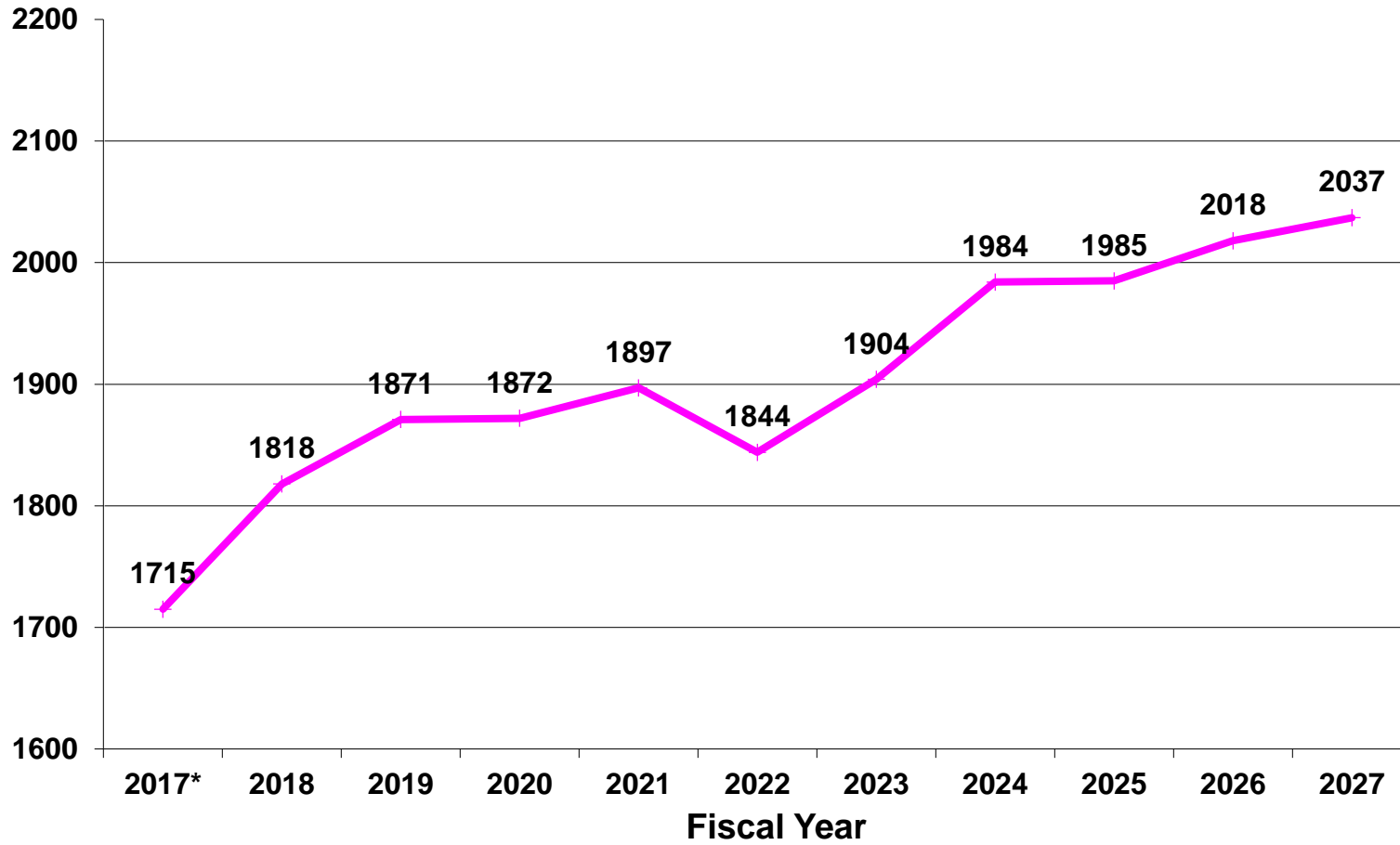
* Actual prison population on June 30, 2017.
This group accounts for 16.7% of the total projected prison population in FY 2027.

Figure 5: Projected Violent Inmate Prison Population



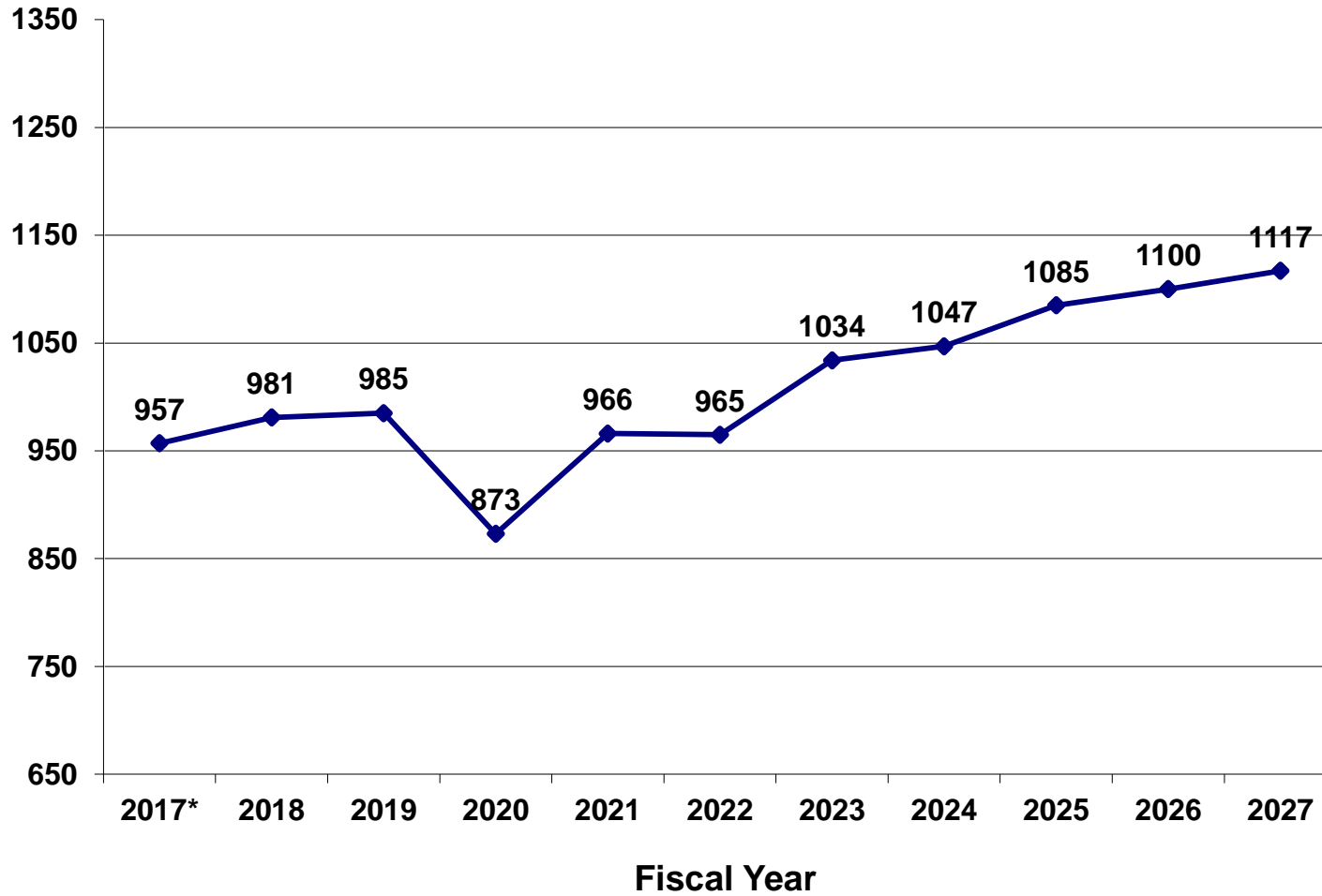
* Actual prison population on June 30, 2017.
 This group accounts for 38.9% of the total projected prison population in FY 2027.

Figure 6: Projected N4-N6 Inmate Prison Population



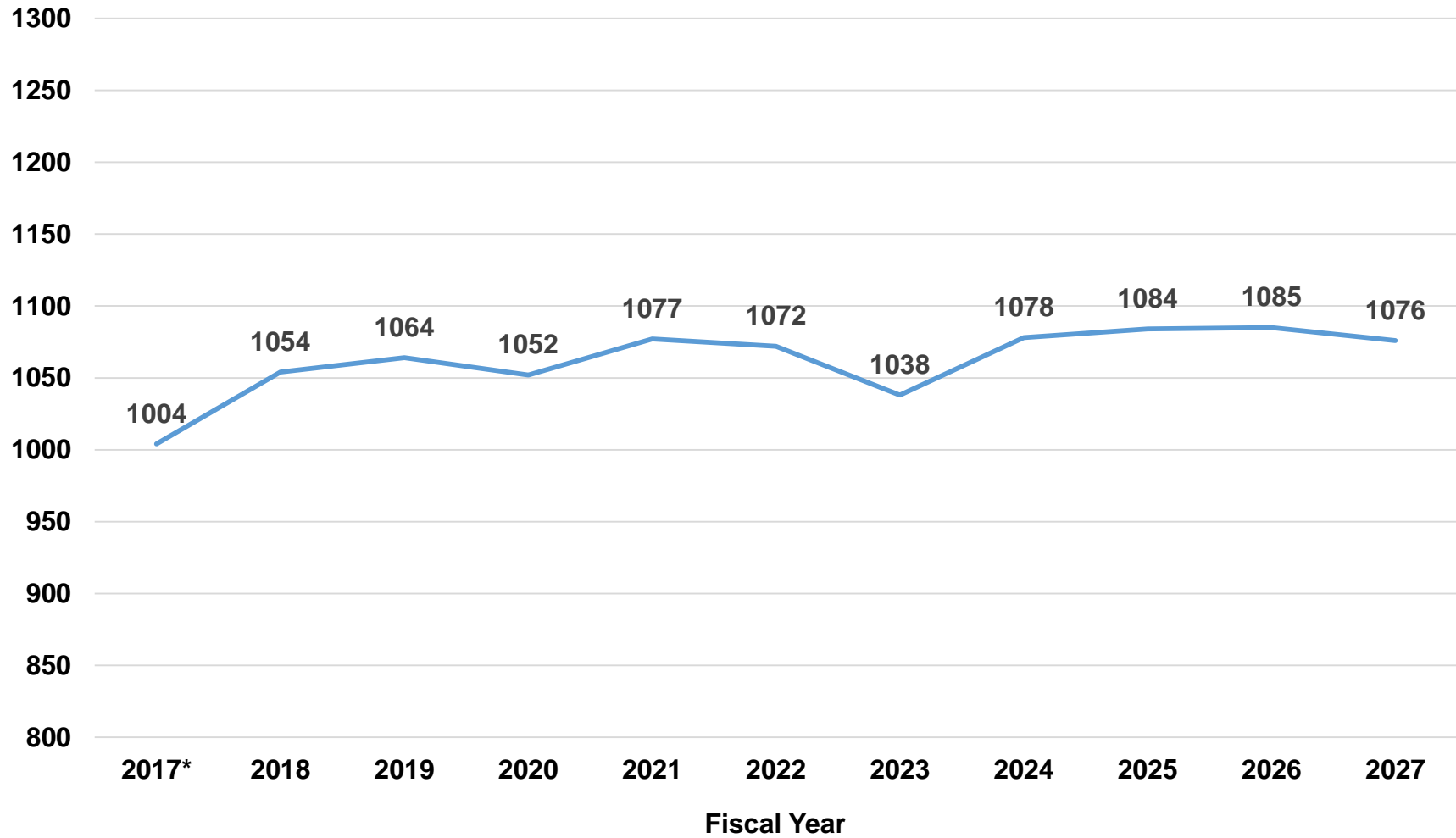
* Actual prison population on June 30, 2017.
This group accounts for 17.8% of the total projected prison population in FY 2027.

Figure 7: Projected Nonviolent Inmate Prison Population



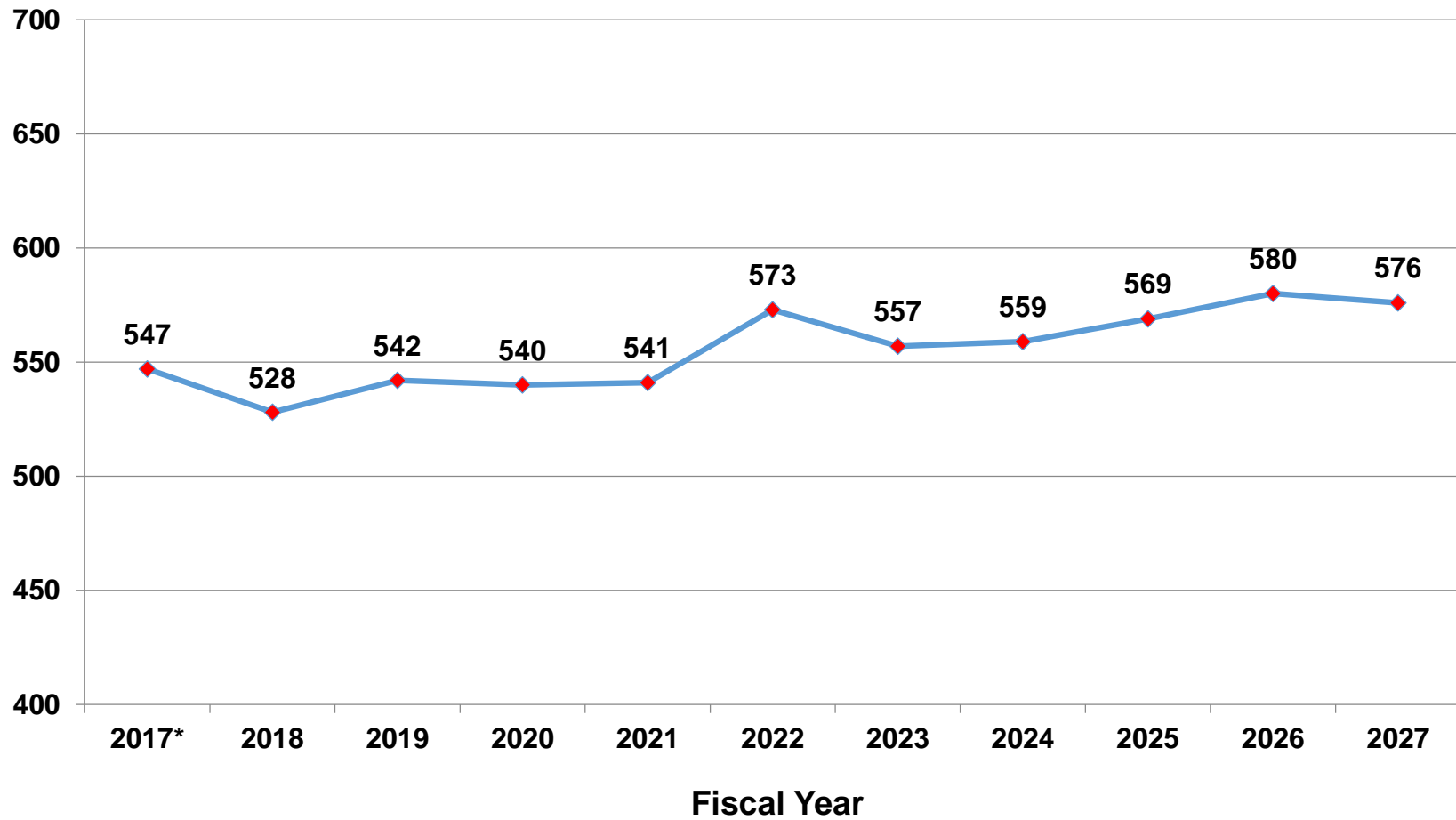
* Actual prison population on June 30, 2017.
This group accounts for 9.8% of the total projected prison population in FY 2027.

Fure 8: Projected Probation Condition Violator Inmate Population



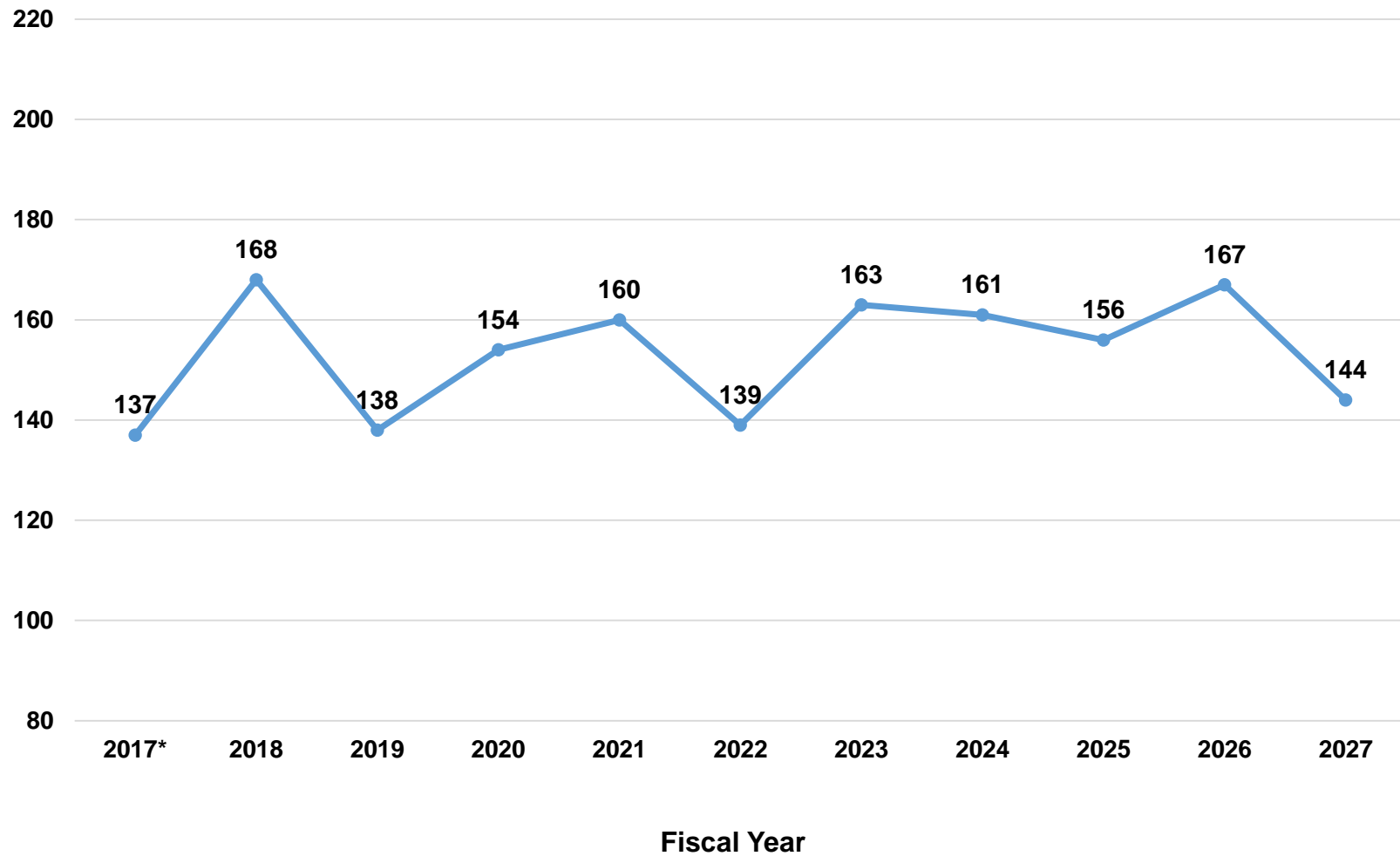
* Actual prison population on June 30, 2017.
This group accounts for 9.4% of the total projected prison population in FY 2027.

Figure 9: Projected Parole/Postrelease Condition Violator Inmate Population



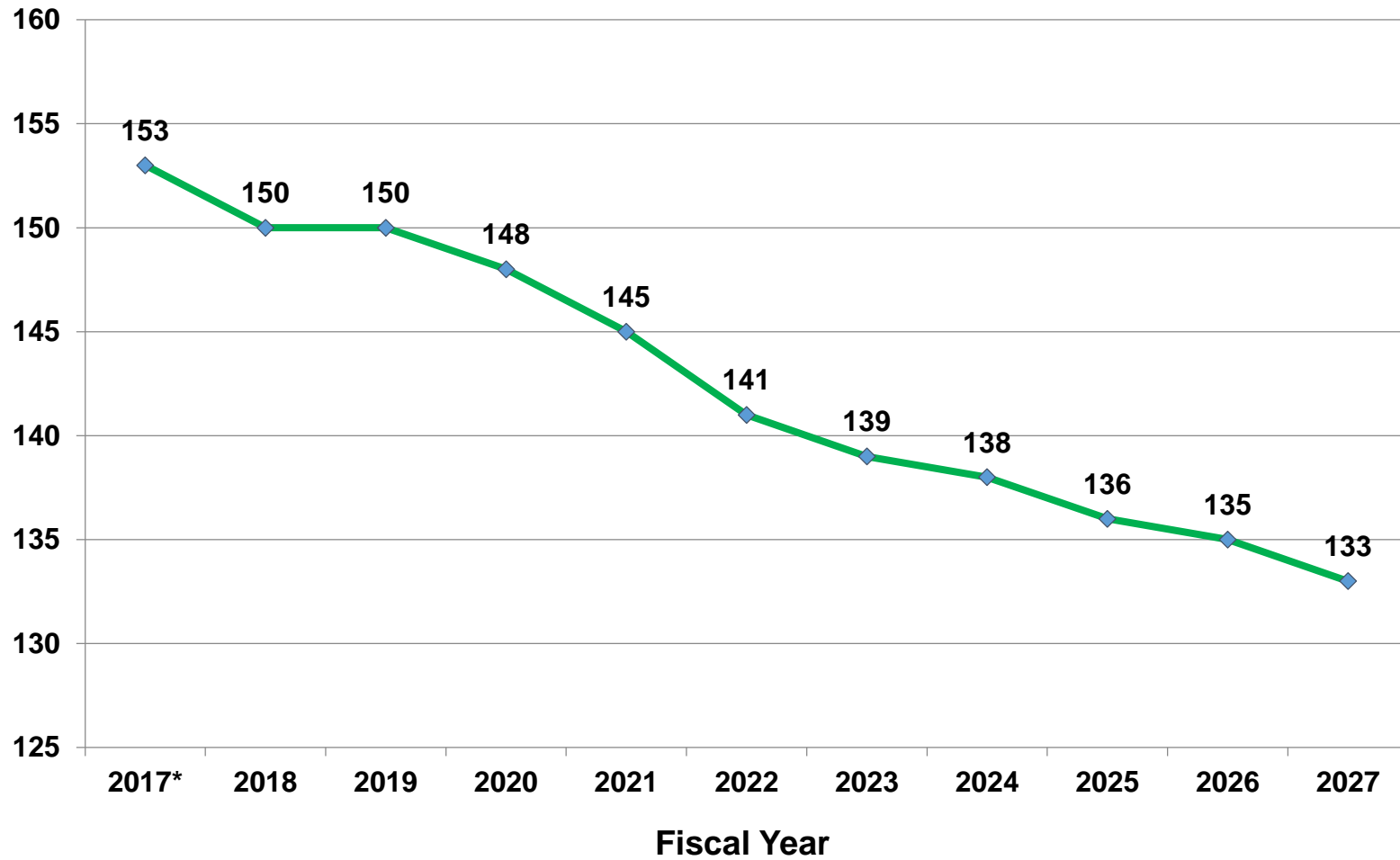
* Actual prison population on June 30, 2017.
This group accounts for 5% of the total projected prison population in FY 2027.

Figure 10: Projected Prison Sanction Inmate Population



* Actual prison population on June 30, 2017.
This group accounts for 1.3% of the total projected prison population in FY 2027.

Figure 11: Projected Old Law (Exclude Offgrid) Inmate Population



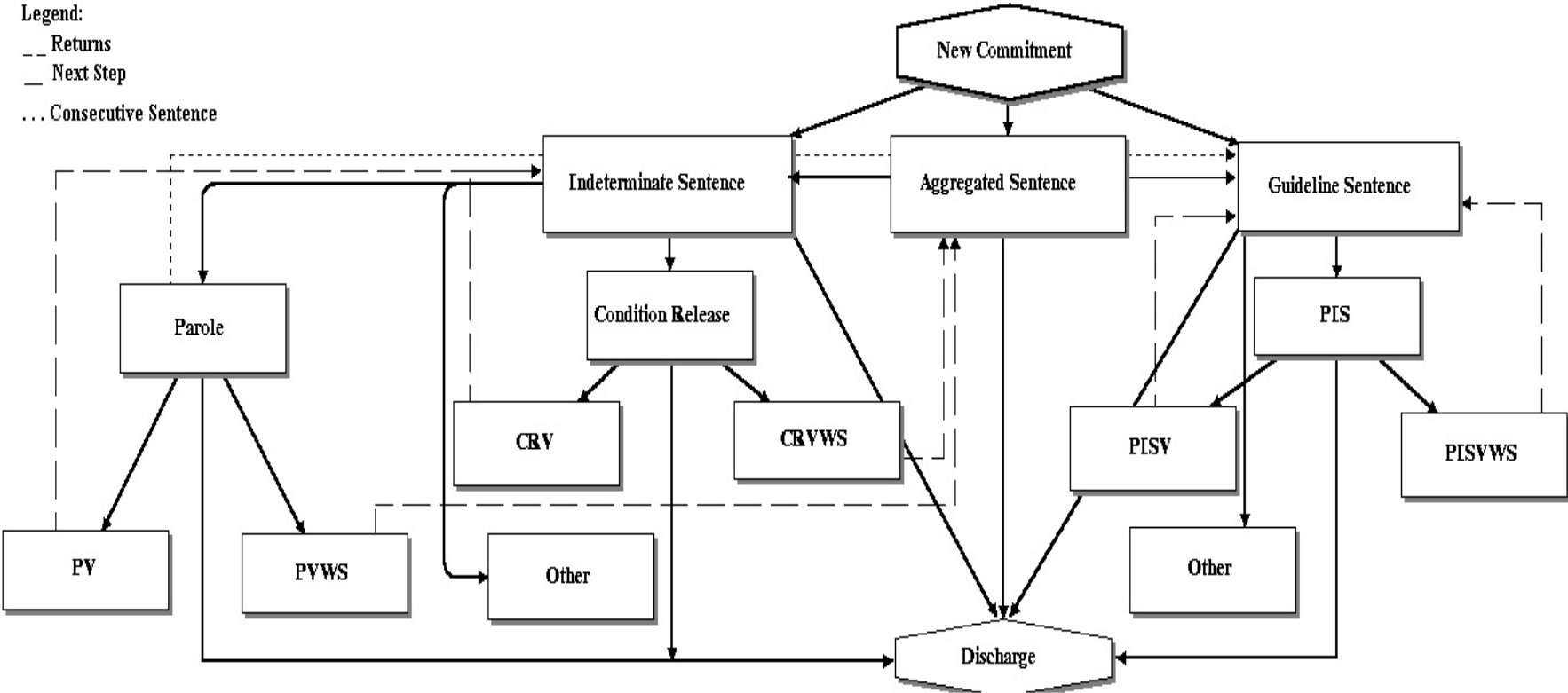
* Actual prison population on June 30, 2017.
This group accounts for 1.2% of the total projected prison population in FY 2027.

ATTACHMENT A - KANSAS PRISONER MOVEMENT SIMULATION MODEL

Kansas Prison Inmate Movement Simulation Model

Legend:

- Returns
- Next Step
- ... Consecutive Sentence



Note: PV=condition parole violator; PVWS=parole violator with new sentence; CRV=condition release violator; CRVWS=condition release violator with new sentence; PIS=post incarceration supervision; PISV=post incarceration supervision violator; PISVWS=post incarceration supervision violator with new sentence.

ATTACHMENT B - PRISON POPULATION PROJECTION MONITORING REPORT

**Table 10: Prison Population Monthly Monitoring Report
FY 2017 Model**

Month/Year	Projected	Actual	Difference	Percent Error
July 2016	9690	9663	27	0.28%
August 2016	9709	9701	8	0.08%
September 2016	9719	9662	57	0.59%
October 2016	9690	9720	-30	-0.31%
November 2016	9650	9801	-151	-1.54%
December 2016	9600	9773	-173	-1.77%
January 2017	9609	9851	-242	-2.46%
February 2017	9636	9826	-190	-1.93%
March 2017	9688	9811	-123	-1.25%
April 2017	9694	9790	-96	-0.98%
May 2017	9703	9859	-156	-1.58%
June 2017	9722	9803	-81	-0.83%

**Table 11: Male Prison Population Monthly Monitoring Report
FY 2017 Model**

Month/Year	Projected	Actual	Difference	Percent Error
July 2016	8852	8831	21	0.24%
August 2016	8859	8862	-3	-0.03%
September 2016	8867	8836	31	0.35%
October 2016	8848	8890	-42	-0.47%
November 2016	8812	8930	-118	-1.32%
December 2016	8760	8921	-161	-1.80%
January 2017	8761	8978	-217	-2.42%
February 2017	8775	8957	-182	-2.03%
March 2017	8836	8936	-100	-1.12%
April 2017	8858	8920	-62	-0.70%
May 2017	8874	8987	-113	-1.26%
June 2017	8878	8939	-61	-0.68%

Table 12: Female Prison Population Monthly Monitoring Report**FY 2017 Model**

Month/Year	Projected	Actual	Difference	Percent Error
July 2016	838	832	6	0.72%
August 2016	850	839	11	1.31%
September 2016	852	826	26	3.15%
October 2016	842	830	12	1.45%
November 2016	838	871	-33	-3.79%
December 2016	840	852	-12	-1.41%
January 2017	848	873	-25	-2.86%
February 2017	861	869	-8	-0.92%
March 2017	852	875	-23	-2.63%
April 2017	836	870	-34	-3.91%
May 2017	829	872	-43	-4.93%
June 2017	844	864	-20	-2.31%

ATTACHMENT C - TREND ANALYSES

**Table 13: Five Year Prison Admission Trend By Admission Type
FY 2013 through FY 2017**

Admission Type	FY 2013	FY 2014*	FY 2015*	FY 2016*	FY 2017*	% Change FY 2013-FY 2017	% Change FY 2016-FY 2017
	N	N	N	N	N		
New Court Commitment	1894	1844	1922	1986	2071	9.3%	4.3%
Probation Condition Violator	1629	1368	1321	1180	1229	-24.6%	4.2%
Probation Prison Sanction	0	323	691	1003	1192	N/A	18.8%
Probation Violator With New Sentence	198	257	331	331	340	71.7%	2.7%
Probation Violator With New Conviction*	0	134	168	188	182	N/A	-3.2%
Inmate Received on Interstate Compact	9	16	8	15	6	-33.3%	-60.0%
Parole/Post-release/CR Condition Violator	1234	1122	1219	1237	1201	-2.7%	-2.9%
Parole/Post-release/CR Violator With New Sentence	177	185	151	146	196	10.7%	34.2%
Paroled to Detainer Returned With New Sentence	33	34	27	29	28	-15.2%	-3.4%
Non Violator Return- New Sentence	28	20	35	49	48	71.4%	-2.0%
Non Violator Return- No New Sentence	3	4	3	0	4	33.3%	N/A
Total	5205	5307	5876	6164	6497	24.8%	5.4%

Source: DOC admission files.

* Probation violator with new conviction has been separated from probation condition violator since FY 2014.

Note: FY 2014 to FY 2017 parole violator with new sentence includes parole violator pending new sentence.

**Table 14: Comparative Analysis on Admission Type by Percentage Distribution
FY 2013 through FY 2017**

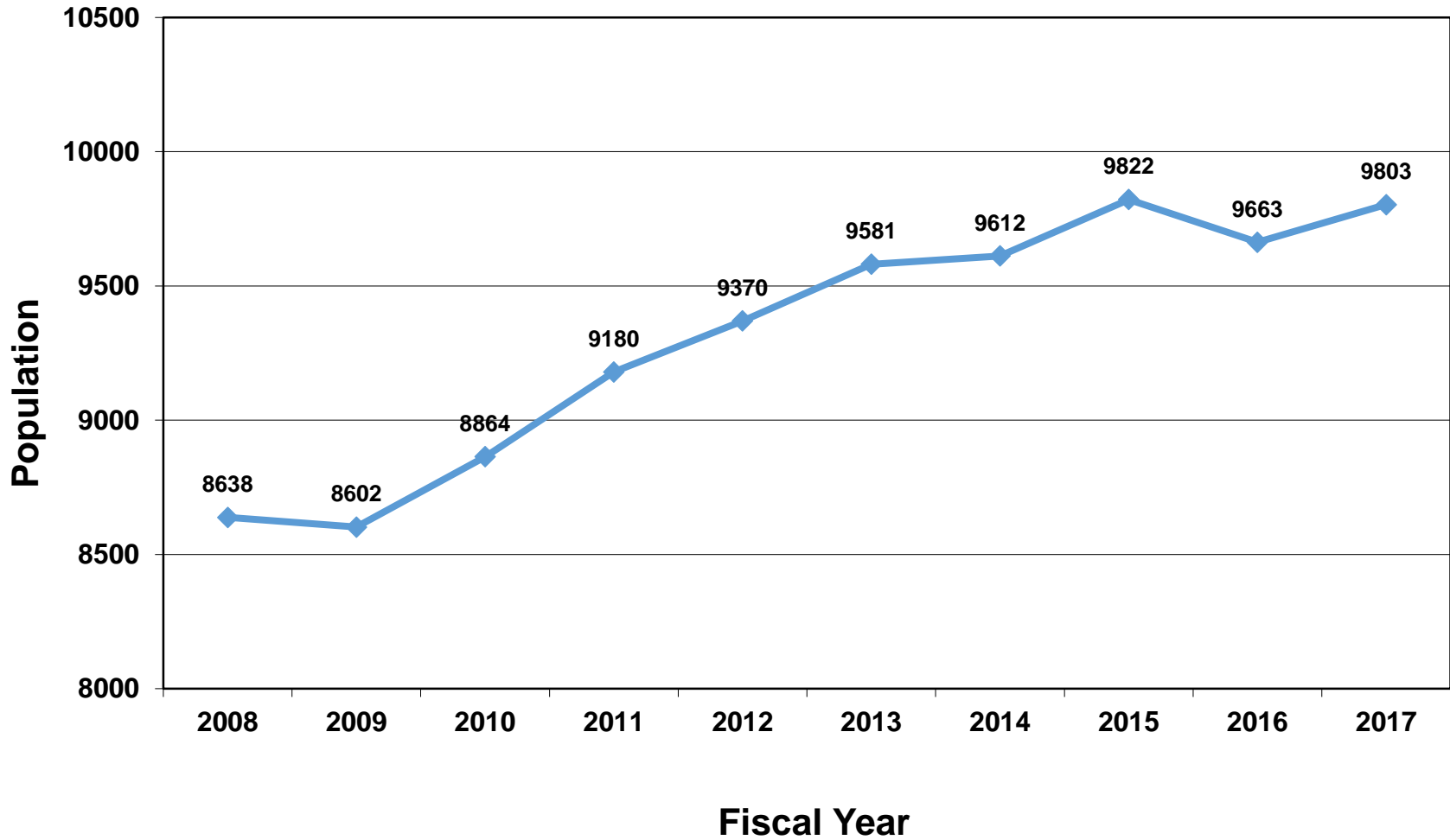
Admission Type	FY 2013		FY 2014		FY 2015		FY 2016		FY 2017	
	N	%	N	%	N	%	N	%	N	%
New Court Commitment	1894	36.4	1844	34.7	1922	32.7	1986	32.2	2071	31.9
Probation Condition Violator	1629	31.3	1368	25.8	1321	22.5	1180	19.1	1229	18.9
Sanction from Probation	N/A	N/A	323	6.1	691	11.8	1003	16.3	1192	18.3
Probation Violator With New Sentence	198	3.8	257	2.5	331	5.6	331	5.4	340	5.2
Probation Violator With New Conviction*	N/A	N/A	134	0.3	168	2.9	188	3.0	182	2.8
Inmate Received on Interstate Compact	9	0.2	16	0.3	8	0.1	15	0.2	6	0.1
Parole/Post-release/CR Condition Violator	1234	23.7	1122	21.2	1219	20.8	1237	20.1	1201	18.5
Parole/Post-release/CR Violator With New Sentence	177	3.4	185	3.5	151	2.6	146	2.4	196	3.0
Paroled to Detainer Returned With New Sentence	33	0.6	34	0.6	27	0.5	29	0.5	28	0.4
Non Violator Return- New Sentence	28	0.5	20	0.4	35	0.4	49	0.8	48	0.7
Non Violator Return- No New Sentence	3	0.1	4	0.1	3	0.1	0	0.0	4	0.1
Total	5205	100	5307	100	5876	100	6164	100	6497	100

Source: DOC admission files.

*. Probation violator with new conviction has been separated from probation condition violator since FY 2014.

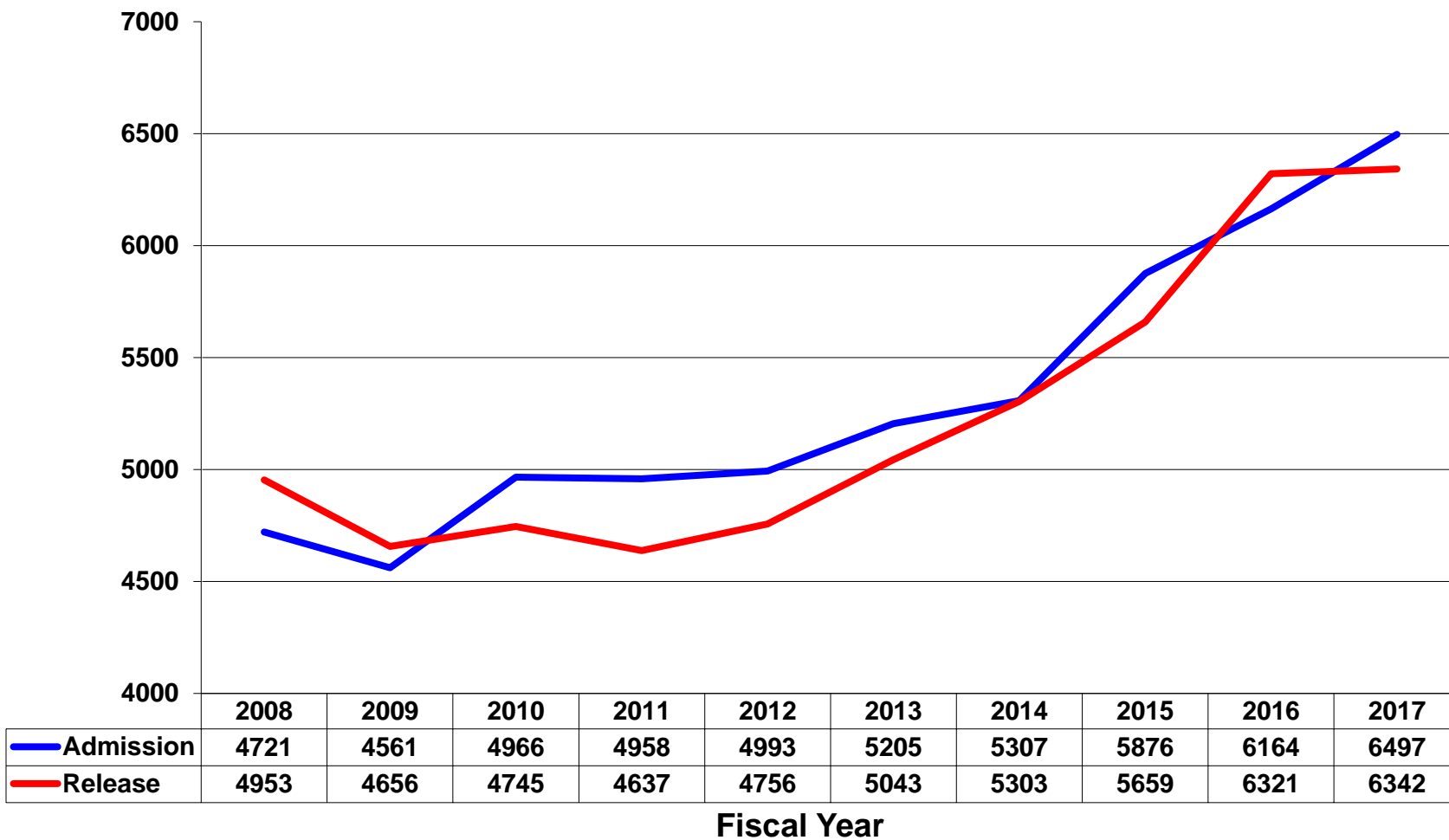
Note: FY 2014 to FY 2017 parole violator with new sentence includes parole violator pending new sentence.

Figure 12: Prison Population Trends



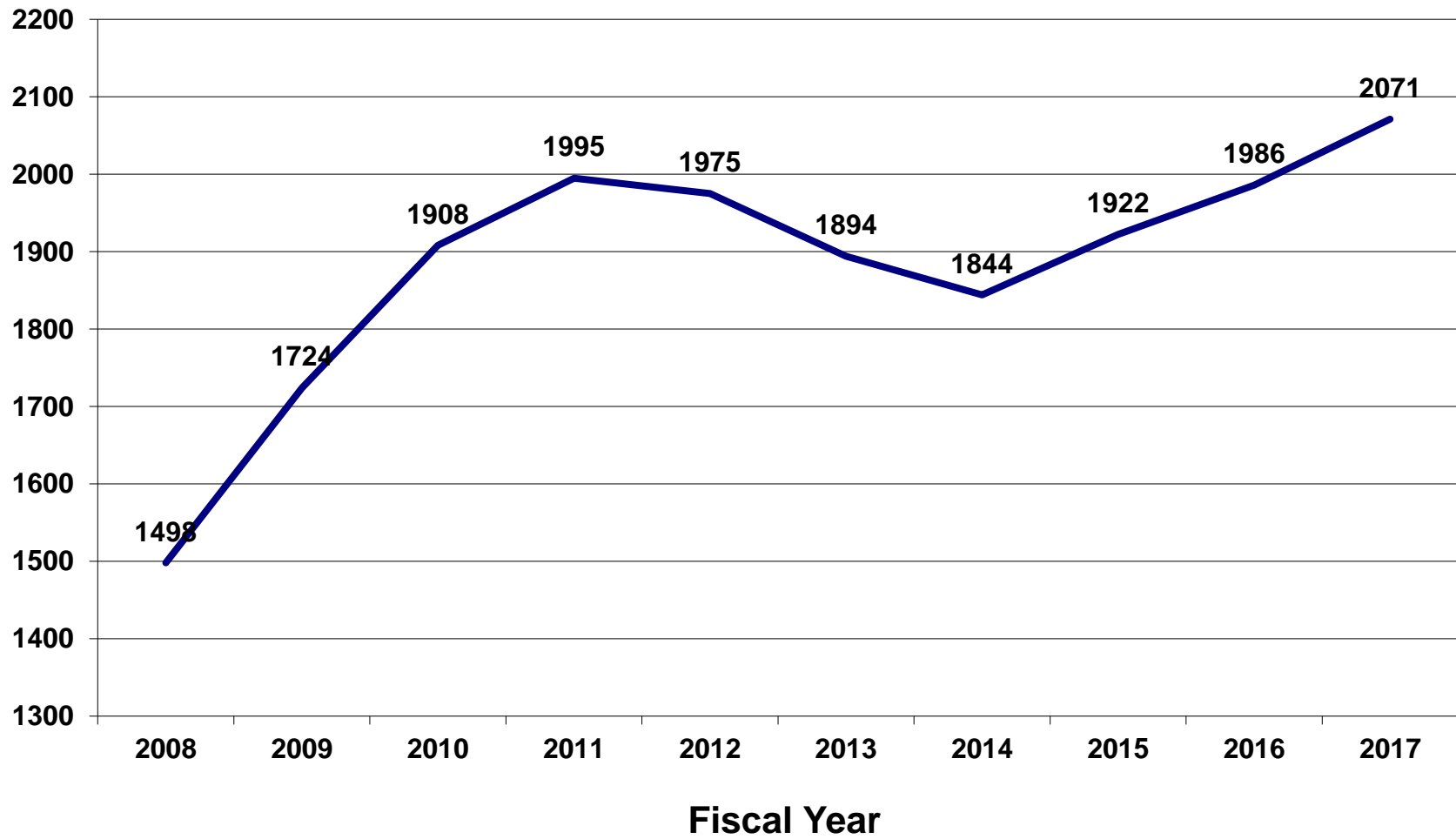
Source: KDOC prison population files.

Figure 13: Prison Admissions Vs. Releases



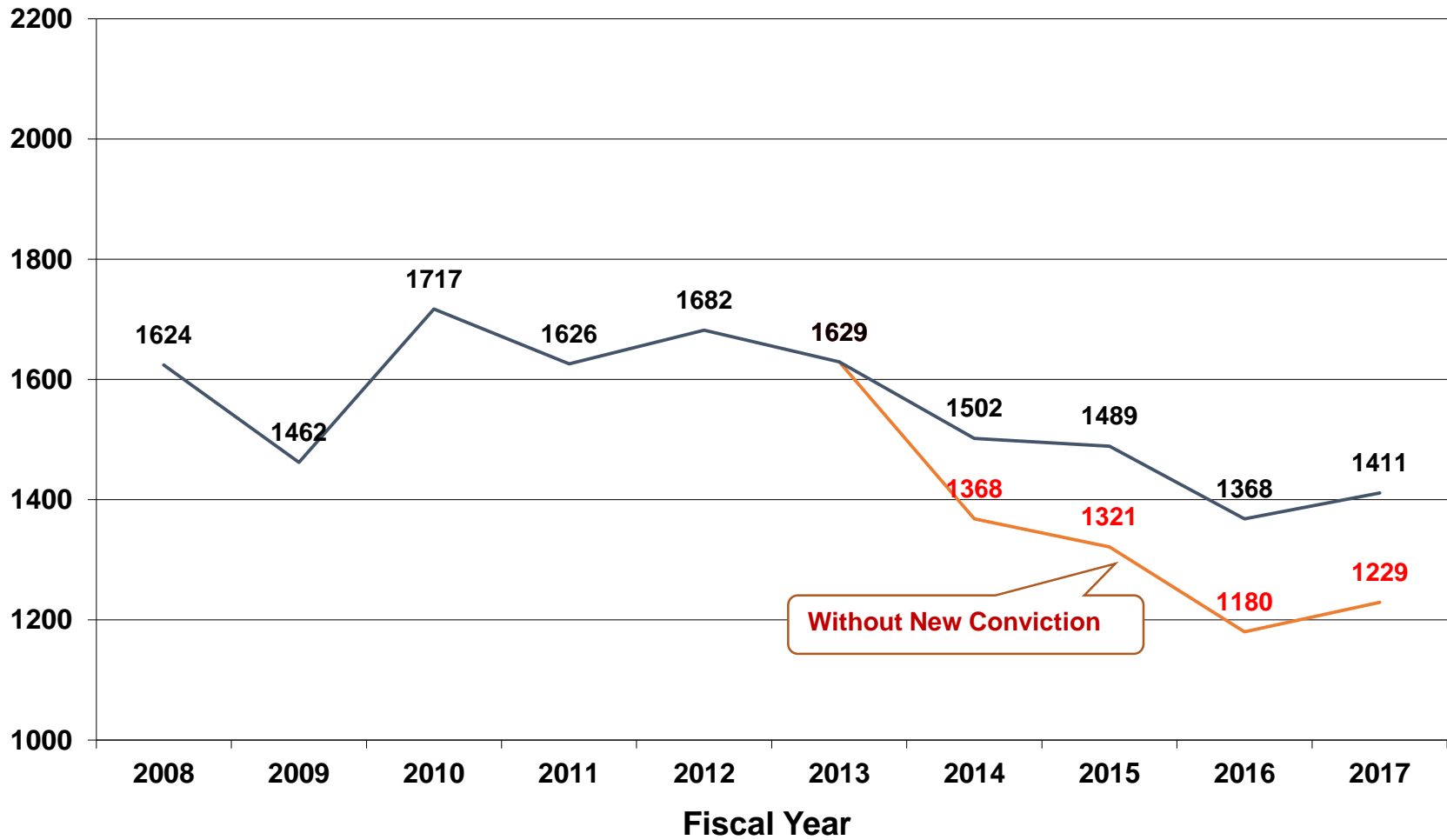
Source: KDOC admission and release files.

Figure 14: Direct New Court Commitments



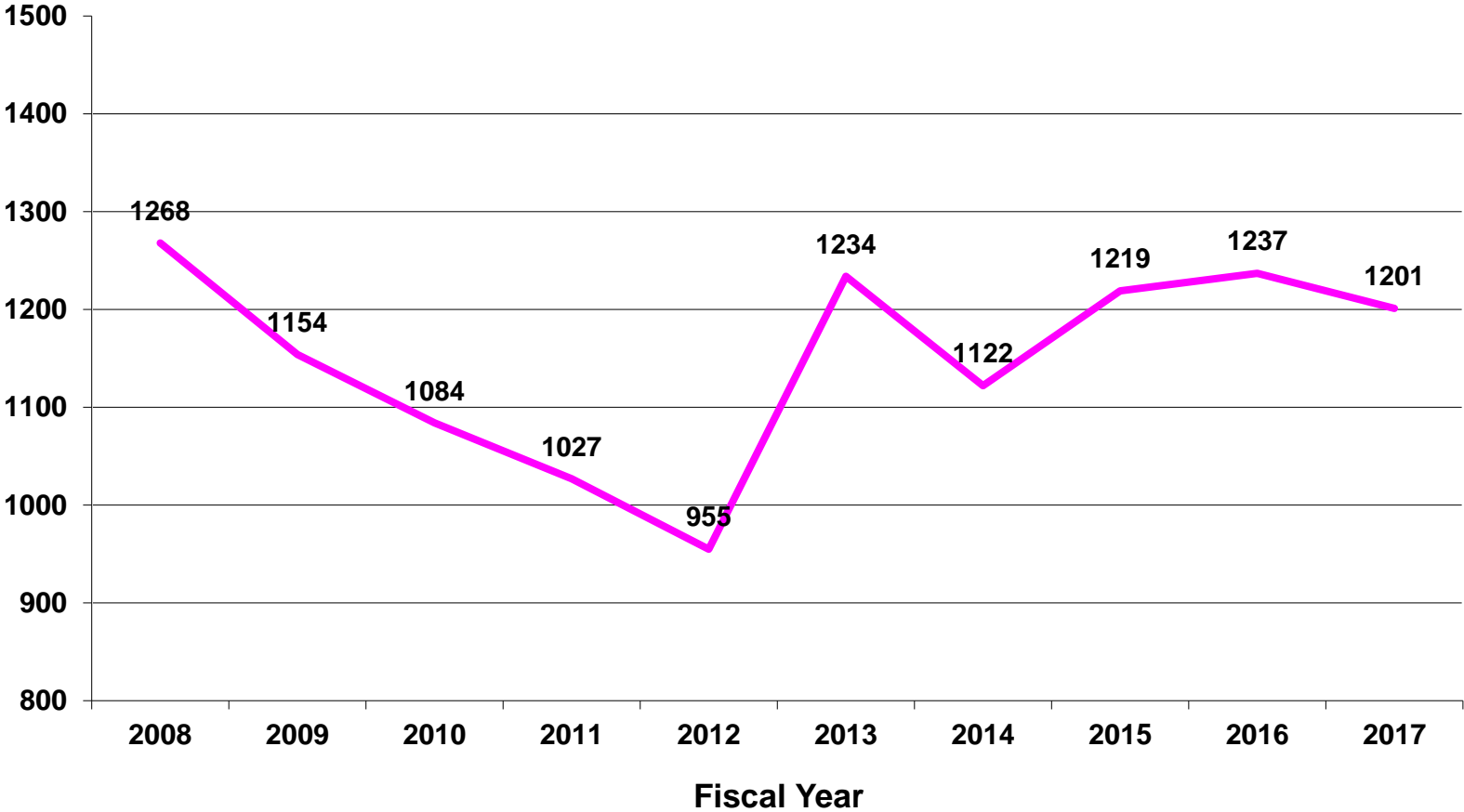
Source: KDOC admission files.

Figure 15: Probation Condition Violators



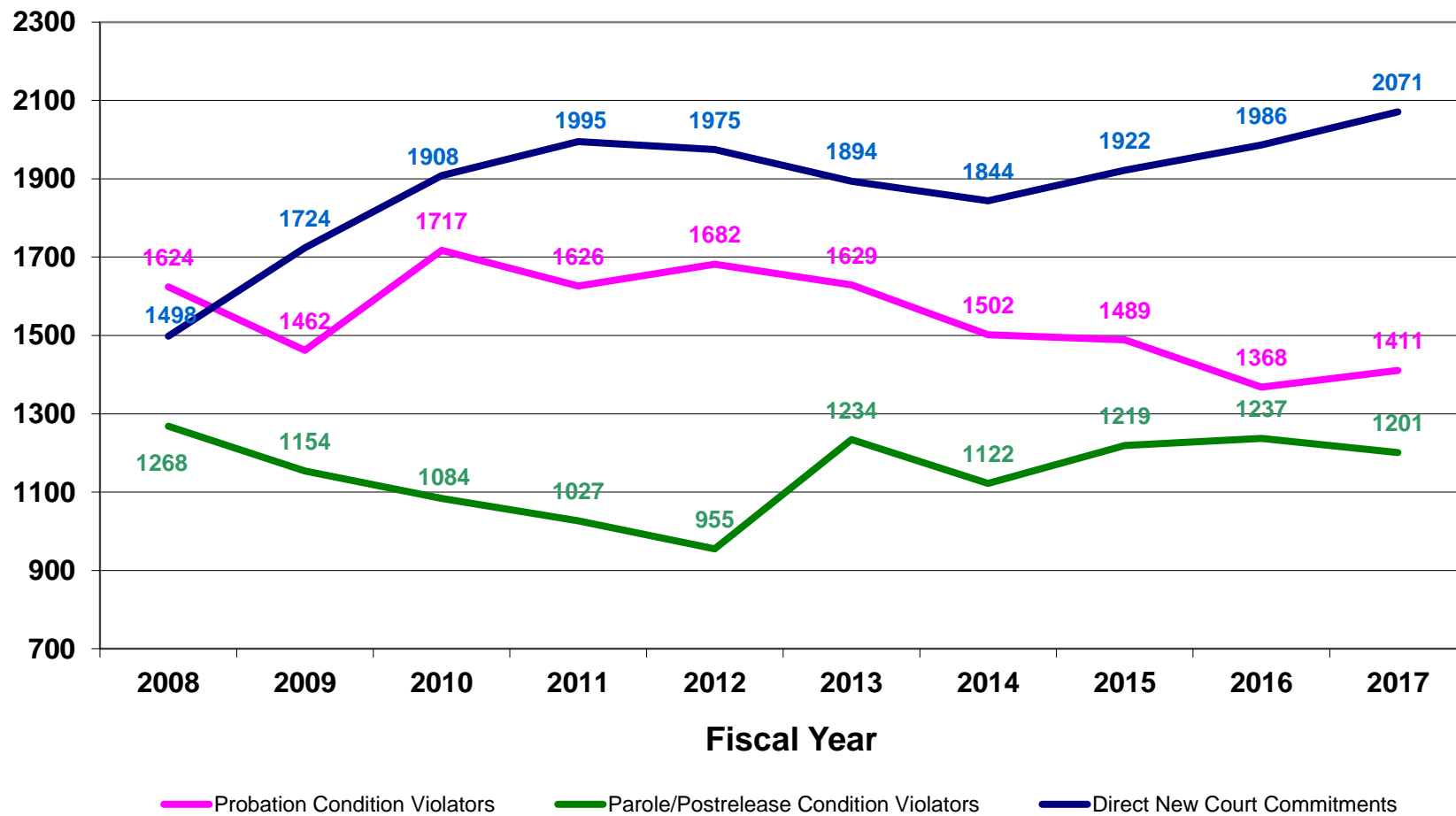
Note: New conviction has been separated from probation condition violators since FY 2014.

Figure 16: Parole/Postrelease Condition Violators



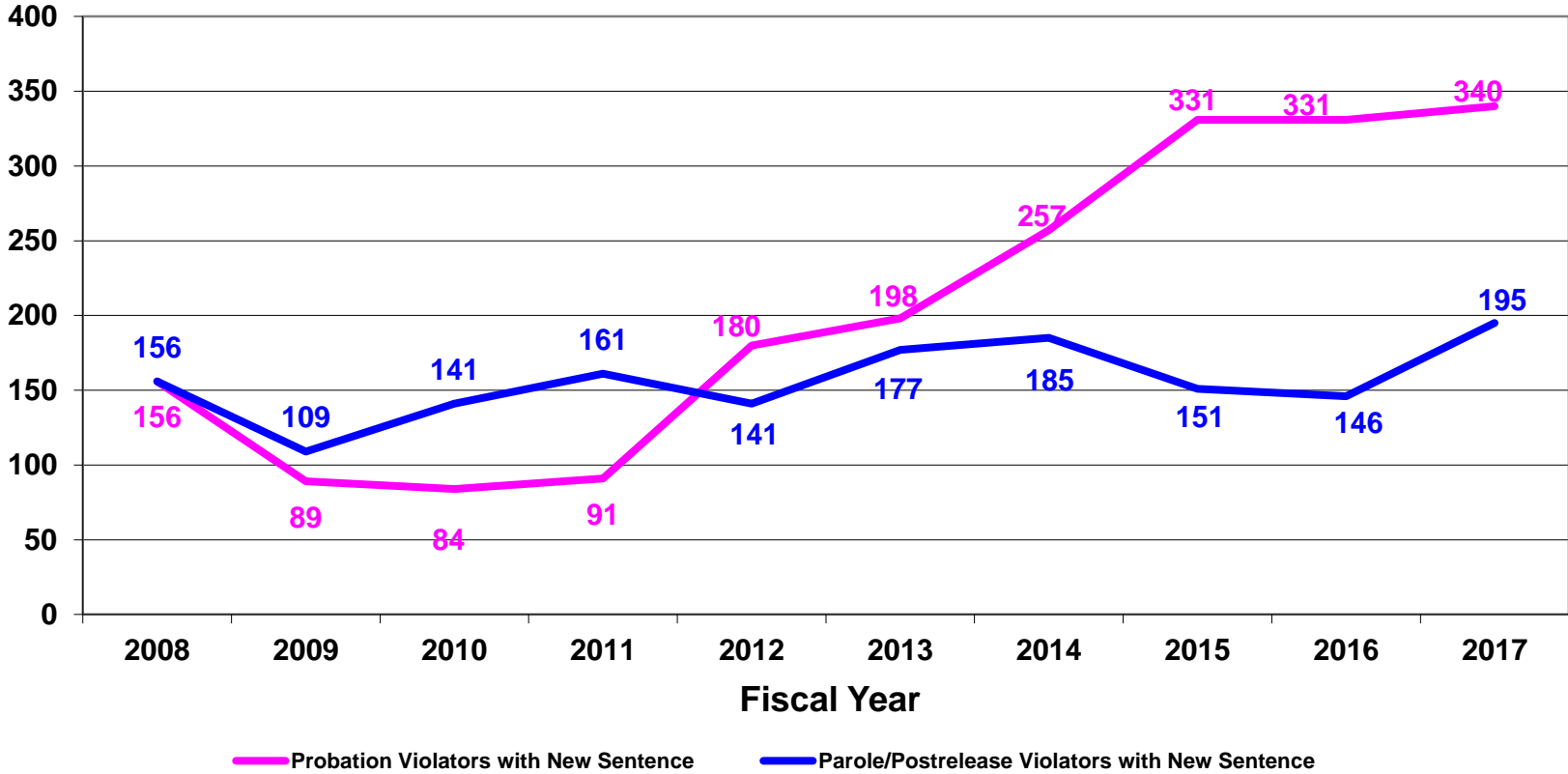
Source: KDOC admission files.
Note: Including condition conditional-release violators.

Figure 17: Admissions by Three Major Types



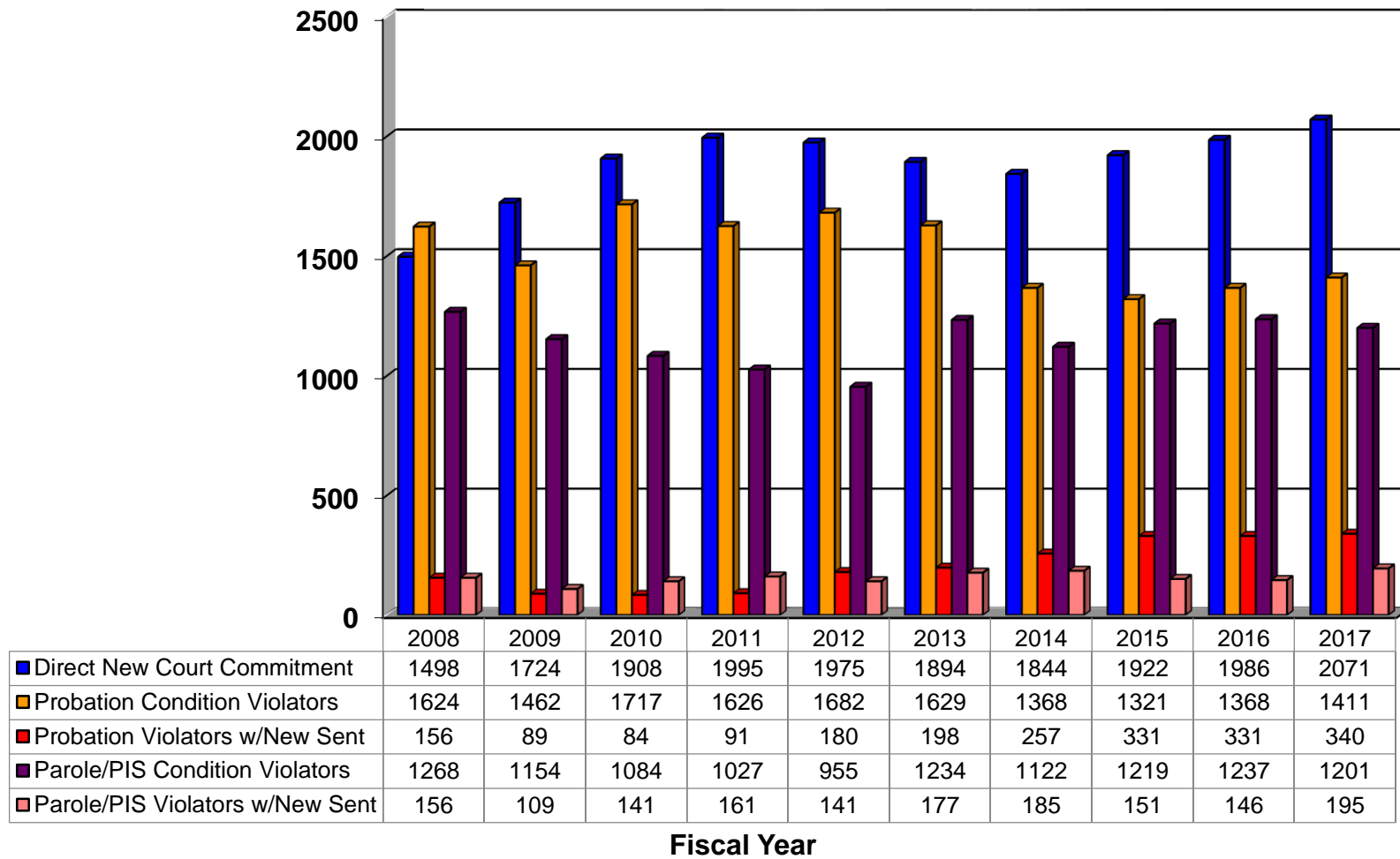
Note: FY 2014 through FY 2017 probation condition violators include probation violators with new conviction.

Figure 18: Probation and Parole/Postrelease Violators with New Sentence



Source: KDOC admission files.

Figure 19: Ten Year Prison Admission Trends by Admission Type



Note: Probation condition violators include probation violators with new conviction.

ATTACHMENT D - GUIDELINE SENTENCING GRIDS

Table 15: Sentencing Range - Nondrug Offenses

Category →	A	B	C	D	E	F	G	H	I
Severity Level ↓	3 + Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3 + Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2 + Misdemeanor	1 Misdemeanor No Record
I	653 620 592	618 586 554	285 272 258	267 253 240	246 234 221	226 214 203	203 195 184	186 176 166	165 155 147
II	493 467 442	460 438 416	216 205 194	200 190 181	184 174 165	168 160 152	154 146 138	138 131 123	123 117 109
III	247 233 221	228 216 206	107 102 96	100 94 89	92 88 82	83 79 74	77 72 68	71 66 61	61 59 55
IV	172 162 154	162 154 144	75 71 68	69 66 62	64 60 57	59 56 52	52 50 47	48 45 42	43 41 38
V	136 130 122	128 120 114	60 57 53	55 52 50	51 49 46	47 44 41	43 41 38	38 36 34	34 32 31
VI	46 43 40	41 39 37	38 36 34	36 34 32	32 30 28	29 27 25	26 24 22	21 20 19	19 18 17
VII	34 32 30	31 29 27	29 27 25	26 24 22	23 21 19	19 18 17	17 16 15	14 13 12	13 12 11
VIII	23 21 19	20 19 18	19 18 17	17 16 15	15 14 13	13 12 11	11 10 9	11 10 9	9 8 7
IX	17 16 15	15 14 13	13 12 11	13 12 11	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5
X	13 12 11	12 11 10	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5	7 6 5	7 6 5

Probation Terms are:

- 36 months recommended for felonies classified in Severity Levels 1-5
- 24 months recommended for felonies classified in Severity Levels 6-7
- 18 months (up to) for felonies classified in Severity Level 8
- 12 months (up to) for felonies classified in Severity Levels 9-10

Postrelease Supervision Terms are:

- 36 months for felonies classified in Severity Levels 1-4
- 24 months for felonies classified in Severity Level 5-6
- 12 months for felonies classified in Severity Levels 7-10

Postrelease for felonies committed before 4/20/95 are:

- 24 months for felonies classified in Severity Levels 1-6
- 12 months for felonies classified in Severity Level 7-10

LEGEND
Presumptive Probation
Border Box
Presumptive Imprisonment

Table 16: Sentencing Range - Drug Offenses

Categories→	A	B	C	D	E	F	G	H	I
Severity Level ↓	3 + Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felony	1 Person Felony	3 + Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2 + Misdemeanors	1 Misdemeanor No Record
I	204 194 185	196 186 176	187 178 169	179 170 161	170 162 154	167 158 150	162 154 146	161 150 142	154 146 138
II	144 136 130	137 130 122	130 123 117	124 117 111	116 111 105	113 108 101	110 104 99	108 100 96	103 98 92
III	83 78 74	77 73 68	72 68 65	68 64 60	62 59 55	59 56 52	57 54 51	54 51 49	51 49 46
IV	51 49 46	47 44 41	42 40 37	36 34 32	32 30 28	26 24 23	23 22 20	19 18 17	16 15 14
V	42 40 37	36 34 32	32 30 28	26 24 23	22 20 18	18 17 16	16 15 14	14 13 12	12 11 10

Presumptive Probation
Border Box
Presumptive Imprisonment

•Fines not to exceed \$500,000 (SL1-SL2), \$300,000 (SL3-SL4), \$100,000 (SL5)

•Severity level of offense increases one level if controlled substance or analog is distributed or possessed w/ intent to distribute on or w/in 1000 ft of any school property.

Levels	Distribute or Possess w/ intent to Distribute			Manufacture (all)	Cultivate	Dosage Units	Postrelease	Probation	Good Time
	Cocaine	Meth & Heroin	Marijuana						
I	≥ 1 kg	≥ 100 g	≥ 30 kg	2nd or Meth	>100 plants	>1000	36	36	15%
II	100 g - 1 kg	3.5 g - 100 g	450 g - 30 kg	1st	50-99 plants	100-999	36	36	15%
III	3.5 g - 100 g	1 g - 3.5 g	25 g - 450 g		5-49 plants	10-99	36	36	**20%
IV	< 3.5 g	< 1 g	< 25 g			<10	24	≤ 18	20%
V	Possession		Possession-2nd offense				12	*≤12	20%

* ≤ 18 months for 2003 SB123 offenders

** Effective on July 1, 2015 - retroactive