



JUSTICE AND PUBLIC SAFETY CABINET

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MEMORANDUM

To: Legislative Research Commission
Interim Joint Committee on Judiciary

From: Kathleen Kenney, Commissioner *Kathleen M. Kenney*
Kentucky Department of Corrections

Date: December 5, 2019

Reference: KRS 439.651 Annual Report – Reentry Drug Supervision

Reentry Drug Supervision (RDS) is a four (4) year pilot program resulting from 17 RS SB 120. The program seeks to restore lives and reduce recidivism rates of inmates and parolees suffering from substance abuse disorder.

The program consists of two (2) phases lasting a minimum of twelve (12) months or until sentence is completed. Offenders who meet the criteria are assessed by the Division of Addiction Services for program recommendations. Offenders who are recommended for the program are then reviewed by the Kentucky Parole Board for consideration. Participants are eligible to earn one-hundred eighty (180) days of educational good time; specifically, ninety (90) days for completion of intensive outpatient substance abuse treatment (SAP-IOP) and ninety (90) days at the completion of the Reentry Drug Supervision program.

To be eligible for the pilot program, offenders must meet the following criteria:

- Have an approved home placement plan residing in Boone, Kenton, and Campbell counties;
- Serving on a Class C or D felony that arose from a substance use disorder;
- Cannot be serving on a violent offense as defined in KRS 439.3401 or a sex offense as defined in KRS 17.550;
- Cannot be serving on an offense that resulted in death or serious physical injury of a victim;
- Cannot have previously participated in the program; and

- Cannot have received a major disciplinary violation according to Corrections Policy and Procedure 15.2 (category 3-11 *or* category 4 and higher) in last sixty (60) days on their current incarceration.

Currently there are sixteen (16) offenders enrolled in the program, with another three (3) that are awaiting consideration by the Kentucky Parole Board. The Parole Board has voted on a total of sixty-six (66) inmates for consideration with twenty-nine (29) declined by the Board.

Of the current participants, seven (7) have moved into Phase II of the program. Eight (8) offenders successfully completed the program in its entirety. One (1) offender was administratively discharged from the program on July 30, 2019. One (1) offender completed his supervision in November 2018 after completing seven (7) months in the program. To date, ten (10) offenders have been terminated from the program: seven (7) for absconding, two (2) for use of controlled substances, and (1) for falsifying required program documentation. On average, offenders who were terminated participated in the program for ninety-nine (99) days prior to termination.

Current participants have been in the program for an average of 190 days. Current participants served, on average, 288 days prior to entrance into the program. Participants were released to the program, on average, 198 days prior to parole eligibility. To date, offenders who completed the program were released an average of 265 days prior to parole eligibility. In total, there has been 5,687 days of incarceration cost avoidance diverted into the Reentry Drug Supervision program.

The program has saved \$120,596.32 in jail costs (\$31.34 per day) for the twenty-two (22) offenders who were serving their sentence at a local jail facility. For the five (5) Class C offenders who were previously housed at a state prison facility (daily cost to incarcerate of \$71.10 for FY18), the cost savings to date is \$143,906.40. To date, the overall incarceration cost savings is \$264,502.72. (Note: this calculation makes the assumption that offenders would have been paroled at the next parole opportunity.)