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GOVERNOR

JUSTICE AND PUBLIC SAFETY CABINET

Keith L. Jackson
SECRETARY

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October 14, 2024

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill
Administrative Regulation Review Subcommittee
Legislative Research Commission
083, Capitol Annex
Frankfort KY 40601

Re: 501 KAR 6:300. News media;
501 KAR 6:310. Monitoring and operation of private prisons;
501 KAR 6:320. Corrections policies and procedures: inmate funds;
501 KAR 6:340. Corrections policies and procedures: research and information;
501 KAR 6:360. Corrections policies and procedures: safety and critical incident notification;
501 KAR 6:370. Corrections policies and procedures: security and control;
501 KAR 6:380. Corrections policies and procedures: special management and restrictive housing inmates, safekeepers, and contract prisoners;
501 KAR 6:390. Corrections policies and procedures: inmate diet;
501 KAR 6:400. Corrections policies and procedures: inmate health care;
501 KAR 6:420. Corrections policies and procedures: inmate rules and discipline.
501 KAR 6:430. Corrections policies and procedures: communication, mail, and visiting.
501 KAR 6:440. Corrections policies and procedures: inmate reception, orientation, and personal property.
501 KAR 6:450. Corrections policies and procedures: classification.
501 KAR 6:460. Corrections policies and procedures: inmate work programs.
501 KAR 6:470. Corrections policies and procedures: inmate education and training.
501 KAR 6:490. Corrections policies and procedures: inmate recreation and activities.
501 KAR 6:500. Religious programs.

501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release.

501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs.

501 KAR 6:530. Corrections policies and procedures: programs and sentence credits.

Dear Co-Chairs West and Lewis:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 501 KAR 6:300. News media; 501 KAR 6:310. Monitoring and operation of private prisons; 501 KAR 6:320. Corrections policies and procedures: inmate funds; 501 KAR 6:340. Corrections policies and procedures: research and information; 501 KAR 6:360. Corrections policies and procedures: safety and critical incident notification; 501 KAR 6:370. Corrections policies and procedures: security and control; 501 KAR 6:380. Corrections policies and procedures: special management and restrictive housing inmates, safekeepers, and contract prisoners; 501 KAR 6:390. Corrections policies and procedures: inmate diet; 501 KAR 6:400. Corrections policies and procedures: inmate health care; 501 KAR 6:420. Corrections policies and procedures: inmate rules and discipline; 501 KAR 6:430. Corrections policies and procedures: communication, mail, and visiting; 501 KAR 6:440. Corrections policies and procedures: inmate reception, orientation, and personal property; 501 KAR 6:450. Corrections policies and procedures: classification; 501 KAR 6:460. Corrections policies and procedures: inmate work programs; 501 KAR 6:470. Corrections policies and procedures: inmate education and training; 501 KAR 6:490. Corrections policies and procedures: inmate recreation and activities; 501 KAR 6:500. Religious programs; 501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release; 501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs; and 501 KAR 6:530. Corrections policies and procedures: programs and sentence credits, the Justice and Public Safety Cabinet proposes the attached substitutes to 501 KAR 6:300. News media; 501 KAR 6:310. Monitoring and operation of private prisons; 501 KAR 6:320. Corrections policies and procedures: inmate funds; 501 KAR 6:340. Corrections policies and procedures: research and information; 501 KAR 6:360. Corrections policies and procedures: safety and critical incident notification; 501 KAR 6:370. Corrections policies and procedures: security and control; 501 KAR 6:380. Corrections policies and procedures: special management and restrictive housing inmates, safekeepers, and contract prisoners; 501 KAR 6:390. Corrections policies and procedures: inmate diet; 501 KAR 6:400. Corrections policies and procedures: inmate health care; 501 KAR 6:420. Corrections policies and procedures: inmate rules and discipline; 501 KAR 6:430. Corrections policies and procedures: communication, mail, and visiting; 501 KAR 6:440. Corrections policies and procedures: inmate reception, orientation, and personal property; 501 KAR 6:450. Corrections policies and procedures: classification; 501 KAR 6:460. Corrections policies and procedures: inmate work programs; 501 KAR 6:470. Corrections policies and procedures: inmate education and training; 501 KAR 6:490. Corrections policies and procedures: inmate recreation and

activities; 501 KAR 6:500. Religious programs; 501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release; 501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs; and 501 KAR 6:530. Corrections policies and procedures: programs and sentence credits.

Sincerely,



Nathan Goens, Attorney
Justice and Public Safety Cabinet
125 Holmes Street, 2nd Floor
Frankfort, Kentucky 40601

enclosure

SUGGESTED SUBSTITUTE

**JUSTICE AND PUBLIC SAFETY CABINET
Department of Corrections**

501 KAR 6:500. Religious programs.

RELATES TO: KRS Chapters 196, 197, 197.270, 197.275

STATUTORY AUTHORITY: KRS 196.035, 197.020, 197.110

NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.035 authorizes the secretary to promulgate administrative regulations deemed necessary or suitable for the proper administration of the functions of the cabinet or any division in the cabinet. KRS 197.020(1)(a) and (b) require the Department of Corrections to promulgate administrative regulations for the government and discipline of the penitentiary, government and official conduct of all officials connected with the penitentiary, and government of the prisoners in their department and conduct. KRS 197.110 authorizes the department to promulgate administrative regulations for purposes as the department deems necessary and proper for carrying out the intent of KRS Chapter 197. This administrative regulation establishes the procedures concerning religious programs for the Department of Corrections.

Section 1. Definitions.

- (1) "Chaplain" means a correctional employee or approved volunteer authorized to provide religious counsel, instruction, and advice to inmates and to provide a system of services or religious volunteers, ecclesiastical visitors, and guests for inmates.
- (2) "Institutional Religious Center" or "IRC" means the designated area where religious services are conducted.
- (3) "KDP" means Kosher Diet Program.
- (4) "Religion Reference Manual" means the "Kentucky Department of Corrections Religion Reference Manual," incorporated by reference in 501 KAR 6:080.
- (5) "Religious items" means items associated with a particular religious faith.
- (6) "Religious practice" means outwardly observable manifestations of religious beliefs including:
 - (a) Participating in congregations and meetings;
 - (b) Engaging in rituals and ceremonies;
 - (c) Praying, chanting, **and** singing;
 - (d) Wearing special items of clothing, jewelry, hairstyles, or beards;
 - (e) Adhering to special diets; **and**
 - (f) Participating in special activities characteristic of a particular religion or adherents of a particular religion.

Section 2. Religious Practice.

- (1) An inmate may participate in practices of his religious faith. The Religion Reference Manual shall be used for religious practice questions. If a religious item or practice is not represented in the Religion Reference Manual, an inmate may request a religious item or practice by following the procedure in Section 4(10) of this administrative regulation.
- (2) The religions listed in the Religion Reference Manual shall be treated in an equal manner. The institution shall assist in the research of a religion or religious practice not addressed in the Religion Reference Manual. **and**
- (3) Religious practices shall be limited only by articulated facts showing a threat to the safety of persons involved in an activity, the safety of the institution, or that the activity itself disrupts order in the institution.
- (4) Religious practices shall include religious publications, religious symbols, congregational religious services, individual and group counseling, and religious study classes.
- (5) The following religious practices and activities shall not be authorized:

- (a) Animal sacrifice;
- (b) Language or behavior that may reasonably be construed as a threat to safety, security, or the orderly running of the institution;
- (c) Nudity;
- (d) Self mutilation;
- (e) Use, display, or possession of a weapon or an item that may appear to be a weapon;
- (f) Paramilitary exercises;
- (g) Self-defense training;
- (h) Sexual acts;
- (i) Profanity;
- (j) Consumption of alcohol;
- (k) Ingestion of illegal substances;
- (l) Proselytizing;
- (m) Inscription;
- (n) Disparagement of other religions; and
- (o) Tobacco products.

(6) An inmate shall not be allowed special services or to receive additional literature, religious icons, or other religious items at one institution that are not allowed at other institutions. Each institution shall follow the uniform requirements of this administrative regulation.

(7) An inmate shall not be coerced, harassed, or ridiculed due to religious affiliation.

Section 3. Chaplain.

(1) Each institution shall provide a chaplain who plans, directs, and coordinates all aspects of the religious program including approval and training of both lay and clergy volunteers from faiths represented by the inmate population.

(2) If the chaplaincy staff or volunteers do not include a religious leader of an inmate's faith, the chaplain shall assist the inmate in contacting a person who has the appropriate credentials from the faith judicatory. That person may minister to the inmate under the supervision of the chaplain.

(3) The chaplain shall:

- (a) Coordinate scheduling of all religious programs;
- (b) Supervise all chaplaincy students; and
- (c) Coordinate and supervise all religious volunteers in accordance with 501 KAR 6:520.

Section 4. Religious Programming.

(1) The institution shall provide space and equipment adequate for the conduct and administration of each religious program.

(2) In an institution that uses a common worship area, adequate space shall be provided for religious emblems and other items used during worship.

(3) The institution shall maintain a basic library of religious reading materials that includes required literature of faiths represented by the inmate population.

(4) Congregate religious items shall not remain outside or be a permanent structure or fixture.

(5) Services and ceremonies.

(a) Each institution shall provide religious services.

(b) A specific religious service and ceremony may be provided based upon the inmate's stated religious preference.

(6) Religious headwear.

(a) An inmate who has expressed a religious preference listed below may wear the following religious headwear in the institution as follows:

Religion	Item Female	Item Male	Color
Jewish	scarf (45 in x 45 in)	yarmulke	White or off-white

Islam	hijab	kufi	White or off-white
Nation of Islam	scarf (45 in x 45 in)	Taqiyah	White
Rastafarian	scarf (45 in x 45 in)	crown	Crowns may contain one, some or all of the following colors: red, yellow, green or black and shall not have a bill or peak, free of any writing to include symbols and graphics. Solid color crowns shall be white in color only. Scarfs may be white or off-white only.
Bobo Ashanti	N/A	turban (45 in x 45 in scarf)	White or off-white

An inmate may have three (3) items of religious headwear.

(b) Ceremonial headwear. An inmate may have one (1) ceremonial headwear in addition to **the** three (3) **items of** religious headwear. A headband shall be worn only in a circle covering the forehead, but not the crown of the head. An inmate who has expressed one (1) of the following religious preferences may wear the following ceremonial headwear in the IRC only. It shall not be worn to and from the chapel or in any other area of the institution:

Religion	Item Female	Item Male	Color
Moorish Science Temple of America	scarf (45 in x 45 in)	fez	Fez shall be red in color only. Scarfs shall be white or off-white in color only.
Native American	headband	headband	Solid color only (blue, red, green, white, yellow, or black) (no beading, graphics or other ornamentation permitted)
Odinist/Asatru	N/A	hlath (hlad)	Brown or white with one or more embroidered runes or printed runes

(7) An inmate who chooses a religious preference that allows for a dress as a personal religious item may be issued the uniform dress as specified in CPP 17.1 incorporated by reference in 501 KAR 6:440.

(8) Religious objects and literature. The institution shall permit an inmate to possess items identified in the Religion Reference Manual as personal religious items. Items essential for faith practice shall be purchased through the contracted commissary provider, if available, at the inmate's expense.

(9) Religious diets.

(a) The department shall, to the extent it is feasible and within appropriate institutional resources, provide each inmate with the opportunity to satisfy the minimum dietary requirements deemed essential by the Religion Reference Manual. The department shall offer an alternate diet meal program and a Kosher diet meal program.

(b) If an inmate requests to participate in the Kosher Diet Program, the inmate shall receive counseling from the chaplain regarding the provisions of the KDP and shall sign the Kosher Diet Participation Agreement incorporated by reference in this administrative regulation. The provisions of the Kosher Diet Participation Agreement shall go into effect on the day the Agreement is signed, unless the institutional food service department does not have a Kosher meal for the newly signed up inmate. The chaplain shall notify the food service department in writing that the inmate has signed the KDP Agreement. The food service department shall immediately request adequate Kosher meals to accommodate the request.

(c) If the inmate signs the agreement at an institution that does not have a Kosher kitchen, the inmate may continue to eat the regular diet until the inmate is transferred to an institution equipped for Kosher meal preparation. If the inmate is housed in special management, he shall be required to complete any disciplinary time prior to transfer to an institution equipped for Kosher meal preparation.

(10) New religious components. If a request is made for a religious service not represented at the institution, the chaplain shall review the request with the warden or designee.

- (a) If the request is in compliance with the Religion Reference Manual, it shall be implemented.
- (b) If the request is for a religion or religious practice that is not represented in the Religion Reference Manual, then the following process shall be used:
 - 1. The inmate shall submit to the chaplain a written request and include the history of the religion or practice and state any necessary personal religious items and congregational items for practice.
 - 2. The chaplain shall review the request and submit his written recommendation along with the original request to the deputy warden.
 - 3. The deputy warden shall review and submit his written recommendation along with all documentation to the Director of Operations or designee.
 - 4. The Director of Operations or designee shall review all documentation submitted based on the requirements of this administrative regulation. The Director of Operations or designee shall notify all parties in writing of the decision. If the decision affects the Religion Reference Manual or Corrections Policy and Procedure, the revisions shall be made during the next review period. If the decision affects the department, the Director of Operations or designee shall notify all institutions of the approved changes to be implemented.
- (c) If the request is one that is listed in Section 2(5) of this administrative regulation, a review by the Director of Operations shall not be necessary.

Section 5. Religious Funding.

- (1) An IRC fund, apart from the institutional budget, may be established for the religious program and may be used for the following:
 - (a) Purchase of religious literature, music, and other materials;
 - (b) Purchase of equipment, including sound and music equipment, for operation and maintenance of the program; or
 - (c) Funding social events or supplying refreshments for special events.
- (2) Any inmate may donate to the IRC fund.
- (3) A donation by a private citizen or community group may be accepted into the fund.
- (4) Any request for an expenditure of IRC funds shall be submitted by the chaplain to the warden or his designee for final approval through a requisition that describes the purchase or expenditure and a brief justification.
- (5) A separate checking account requiring signatures of any two (2) of the following shall be maintained for the IRC fund:
 - (a) Chaplain;
 - (b) Warden; or
 - (c) Deputy warden.

Section 6. Inmate Faith Group. An inmate faith group shall not engage in any fundraising activity. A ceremonial meal shall not be funded by the IRC fund, a private citizen, an inmate donation, or a community group.

Section 7. Inmate Responsibilities.

- (1) Upon entry into the correctional system, an inmate's stated religious preference shall be recorded in the offender management system.
- (2) An inmate may change his religious preference every six (6) months by contacting the institutional chaplain.
- (3) The inmate shall seek a job or program assignment that does not conflict with his beliefs and practices.
- (4) An inmate request for a special service or ceremony shall be made at least sixty (60) days prior to the requested date. This request shall be made in writing to the chaplain and shall include a statement of the reason for the request. The chaplain shall review the request following the procedure in Section 4(10)(b) of this administrative regulation.
- (5) If an inmate changes his religious preference, the inmate shall surrender all sacred items related to the former religious preference listed in CPP 17.1 and the Religion Reference Manual.

(6) Institutional staff shall use a sign-up sheet for religion specific ceremonial meals and activities to determine inmate participation to properly advise the food service department to ensure the adequate amount of meals are provided. Failure to sign up in accordance with the posted sign-up sheet requirements shall result in non-participation for that meal or activity.

Section 8. Communication between an inmate and a chaplain or volunteer that presents a safety or security concern within an institution shall not be confidential.

Section 9. Training. Training shall be provided to the chaplains and religious services staff. Staff who have direct contact with inmates shall receive training concerning religious practices developed or approved by the Division of Corrections Training.

Section 10. Incorporation by Reference.

(1) "Kosher Diet Participation Agreement", 2024, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Justice and Public Safety Cabinet, Office of Legal Services, 125 Holmes Street, 2nd Floor, Frankfort, Kentucky 40601, phone (502) 564-3279, fax (502) 564-6686, Monday through Friday, 8 a.m. to 4:30 p.m. This material may be obtained from the Department of Corrections Web site in the policies and procedures area at <https://corrections.ky.gov/About/cpp/Pages/default.aspx> or the regulation filing area at <https://corrections.ky.gov/about/pages/lrcfilings.aspx>.



501 KAR 6:510
MIR Attached

Andy Beshear
GOVERNOR

JUSTICE AND PUBLIC SAFETY CABINET

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Keith L. Jackson
SECRETARY

October 14, 2024

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill
Administrative Regulation Review Subcommittee
Legislative Research Commission
083, Capitol Annex
Frankfort KY 40601

Re: 501 KAR 6:300. News media;
501 KAR 6:310. Monitoring and operation of private prisons;
501 KAR 6:320. Corrections policies and procedures: inmate funds;
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501 KAR 6:500. Religious programs.

501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release.

501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs.

501 KAR 6:530. Corrections policies and procedures: programs and sentence credits.

Dear Co-Chairs West and Lewis:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 501 KAR 6:300. News media; 501 KAR 6:310. Monitoring and operation of private prisons; 501 KAR 6:320. Corrections policies and procedures: inmate funds; 501 KAR 6:340. Corrections policies and procedures: research and information; 501 KAR 6:360. Corrections policies and procedures: safety and critical incident notification; 501 KAR 6:370. Corrections policies and procedures: security and control; 501 KAR 6:380. Corrections policies and procedures: special management and restrictive housing inmates, safekeepers, and contract prisoners; 501 KAR 6:390. Corrections policies and procedures: inmate diet; 501 KAR 6:400. Corrections policies and procedures: inmate health care; 501 KAR 6:420. Corrections policies and procedures: inmate rules and discipline; 501 KAR 6:430. Corrections policies and procedures: communication, mail, and visiting; 501 KAR 6:440. Corrections policies and procedures: inmate reception, orientation, and personal property; 501 KAR 6:450. Corrections policies and procedures: classification; 501 KAR 6:460. Corrections policies and procedures: inmate work programs; 501 KAR 6:470. Corrections policies and procedures: inmate education and training; 501 KAR 6:490. Corrections policies and procedures: inmate recreation and activities; 501 KAR 6:500. Religious programs; 501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release; 501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs; and 501 KAR 6:530. Corrections policies and procedures: programs and sentence credits, the Justice and Public Safety Cabinet proposes the attached substitutes to 501 KAR 6:300. News media; 501 KAR 6:310. Monitoring and operation of private prisons; 501 KAR 6:320. Corrections policies and procedures: inmate funds; 501 KAR 6:340. Corrections policies and procedures: research and information; 501 KAR 6:360. Corrections policies and procedures: safety and critical incident notification; 501 KAR 6:370. Corrections policies and procedures: security and control; 501 KAR 6:380. Corrections policies and procedures: special management and restrictive housing inmates, safekeepers, and contract prisoners; 501 KAR 6:390. Corrections policies and procedures: inmate diet; 501 KAR 6:400. Corrections policies and procedures: inmate health care; 501 KAR 6:420. Corrections policies and procedures: inmate rules and discipline; 501 KAR 6:430. Corrections policies and procedures: communication, mail, and visiting; 501 KAR 6:440. Corrections policies and procedures: inmate reception, orientation, and personal property; 501 KAR 6:450. Corrections policies and procedures: classification; 501 KAR 6:460. Corrections policies and procedures: inmate work programs; 501 KAR 6:470. Corrections policies and procedures: inmate education and training; 501 KAR 6:490. Corrections policies and procedures: inmate recreation and

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Sincerely,



Nathan Goens, Attorney
Justice and Public Safety Cabinet
125 Holmes Street, 2nd Floor
Frankfort, Kentucky 40601

enclosure

SUGGESTED SUBSTITUTE

**JUSTICE AND PUBLIC SAFETY CABINET
Department of Corrections**

501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release.

RELATES TO: KRS Chapters 196, 197, 197.120, 197.140, 197.170, 197.175, 421.500, 439.3110, 439.3405, 439.590, 439.600, 439.610, 440.010, 441.146, 441.148, 532.200-532.262

STATUTORY AUTHORITY: KRS 196.035, 197.020, 197.110, 441.148

NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.035 authorizes the secretary to promulgate administrative regulations deemed necessary or suitable for the proper administration of the functions of the cabinet or any division in the cabinet. KRS 197.020(1)(a) and (b) require the Department of Corrections to promulgate administrative regulations for the government and discipline of the penitentiary, government and official conduct of all officials connected with the penitentiary, government of the prisoners in their department and conduct, and preservation of the health of the prisoners. KRS 197.110 authorizes the department to promulgate administrative regulations for purposes as the department deems necessary and proper for carrying out the intent of KRS Chapter 197. KRS 441.148(1) requires the department to promulgate administrative regulations to establish standards for the operation of reentry centers established pursuant to KRS 441.146. This administrative regulation establishes policies and procedures concerning release preparation and temporary release for the Department of Corrections.

Section 1. Incorporation by Reference.

(1) "Department of Corrections Policies and Procedures, Chapter 25", **October**~~May~~ 15, 2024, are incorporated by reference. Department of Corrections Policies and Procedures Chapter 25 includes:

25.2	Public Official Notification of Release of an Inmate (10/15/24) (10/14/05)
25.3	Pre-release Program (10/15/24) (11/15/06)
25.4	Inmate Furloughs (5/15/24)
25.6	Community Service Center Program and Jail Placement (10/15/24) (11/13/18)
25.10	Administrative Release of Inmates (10/15/24) (1/13/20)
25.11	Victim Services (10/15/24) (8/25/09)
25.12	Home Incarceration Program (10/15/24) (1/13/20)
25.13	Women's Medical Release: Pregnancy (10/15/24) (11/13/18)
25.14	Reentry Center Program (10/15/24) (11/13/18)
25.15	Early Medical Parole Review (5/15/24)

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CHANGES TO MATERIAL INCORPORATED BY REFERENCE:

CPP 25.2

Page 1, Date Filed Box

Insert "October 15, 2024".

Delete "October 14, 2005".

Pages 1-2, Effective Date Box

Delete "February 3, 2006".

Page 1, Header

Insert "Supersedes Effective Date" box.

CPP 25.3

Page 1, Date Filed Box

Insert "October 15, 2024".

Delete "November 15, 2006".

Pages 1-2, Effective Date Box

Delete "March 9, 2007".

Page 1, Header

Insert "Supersedes Effective Date" box.

CPP 25.6

Page 1, Date Filed Box

Insert "October 15, 2024".

Delete "November 13, 2018".

Pages 1-12, Effective Date Box

Delete "January 4, 2019".

Page 1, Header

Insert "Supersedes Effective Date" box.

CPP 25.10

Page 1, Date Filed Box

Insert "October 15, 2024".

Delete "January 13, 2020".

Page 1, Effective Date Box

Delete "September 1, 2020".

Page 1, Header

Insert "Supersedes Effective Date" box.

CPP 25.11

Page 1, Date Filed Box

Insert "October 15, 2024".

Delete "December 8, 2009".

Pages 1-3, Effective Date Box

Delete "February 5, 2010".

Page 1, Header

Insert "Supersedes Effective Date" box.

CPP 25.12

Page 1, Date Filed Box

Insert "October 15, 2024".

Delete "January 13, 2020".

Pages 1-8, Effective Date Box

Delete "September 1, 2020".

Page 1, Header

Insert "Supersedes Effective Date" box.

CPP 25.13

Page 1, Date Filed Box

Insert "October 15, 2024".

Delete "November 13, 2018".

Pages 1-14, Effective Date Box

Delete "January 4, 2019".

Page 1, Header

Insert "Supersedes Effective Date" box.

CPP 25.14

Page 1, Date Filed Box

Insert "October 15, 2024".


Delete "November 13, 2018".

Pages 1-11, Effective Date Box

Delete "January 4, 2019".

Page 1, Header

Insert "Supersedes Effective Date" box.

 <p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	25.2	2
	Date Filed	Effective Date
	October 15, 2024	
	Supersedes Effective Date	
References/Authority KRS 196.035, 197.020, 197.170 ACA 4-4446	Subject PUBLIC OFFICIAL NOTIFICATION OF RELEASE OF AN INMATE	

I. DEFINITIONS

NONE.

II. POLICY and PROCEDURES

Corrections shall inform public agencies of the release of convicted felons from its custody. CPP 25.4 addresses public official notification when an inmate is released on a furlough.

The Warden of each institution, the Director of Local Facilities or their designees shall notify the following individuals ten (10) days prior to an inmate's release from that institution by parole or expiration of sentence except as provided in IV.

A. The officials to be notified include:

1. Judge of the Circuit Court in the jurisdictions of commitment and to which the inmate is released (if the name of the judge is not known, notice shall be forwarded to the circuit court).
2. Clerk of the Circuit Court in the jurisdiction of commitment.
3. Commonwealth Attorney in the county of commitment and in the jurisdiction to which the inmate is released.
4. County Attorney in the jurisdiction to which the inmate is released.
5. Sheriff of the county of commitment and to which the inmate is released.
6. Chief of Police in the city and county to which the inmate is released.
7. State Police in the District to which the inmate is released.

Policy Number	Effective Date	Page
25.2		2

8. Probation and Parole Offices in the jurisdictions of commitment and to which the inmate is released.


III. NOTIFICATION PROCESS

- A. If paroled, the Warden, the Director of Local Facilities or their designees shall also provide to all those officials listed in this policy the name and address of the person to whom the inmate is released. Release information may be extracted from the approved parole placement information.
- B. Upon release the inmate shall be required to leave the name and address of the person with whom he shall reside.

IV. TIME FRAME WAIVER

All officials listed in Section II, A, shall be notified ten (10) days in advance of the inmate's release. The time frame may be waived on parole, expedient release by parole and court-ordered release, but notice shall be given as far in advance as possible.

- A. If paroled, a telephone call, facsimile, or electronic mail shall be used to notify the Sheriff and State Police in the jurisdiction to which the inmate is released.
- B. In the case of an immediate release, the institution shall notify the Sheriff in the county of commitment and in the jurisdiction of release and State Police in the jurisdiction to which the inmate is released. This may be done by telephone, facsimile, or electronic mail.

 <p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	25.3	2
	Date Filed	Effective Date
	October 15, 2024	
	Supersedes Effective Date	
References/Authority ACA Standards 4-4442 KRS 196.035, 197.020	Subject PRE-RELEASE PROGRAM	

I. DEFINITIONS

"Correctional facility" means an institution, jail or center designed to retain those persons convicted of felony offenses and sentenced to a term of incarceration.

"Community Center Officer" means the probation and parole officer assigned to the Community Center.

"Pre-release Coordinator" means the institutional staff member assigned to the conduct the training.

II. POLICY and PROCEDURES


This program shall pertain to information which may be of assistance to the inmate's future needs after being released into the community.

- A. Each correctional facility shall design a Pre-release Program. The program shall provide information to an inmate preparing to be released from incarceration by parole, conditional release, or maximum expiration and the inmate's responsibility to the state and to the community.
- B. This program may be taken by an inmate who is within two (2) months of the tentative date of release.
- C. The pre-release coordinator or community center officer shall conduct the Pre-release Program. The officer shall deal with the following subjects:
 1. Parole Certificate and Stipulations;
 2. Conditions of Supervision
 - a. Levels of Supervision;
 - b. Reporting Instructions; and

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c. Restrictions:

- (1) Alcohol;
 - (2) Drugs;
 - (3) Firearms; and
 - (4) Travel.
-
3. Placement Alternatives;
 4. Restoration of Civil Rights;
 5. Release Procedures (including flow of paperwork);
 6. Responsibilities of the Offender;
 7. Individual Counseling and Stress Management;
 8. Community Resources;
 9. Employment Search; and
 10. Reintegration with Family and Friends.

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Authority/References KRS 196.035, 197.020, 197.045, 197.110, 197.120, 197.170, 197.180, 439.580, 439.590, 439.600, 439.610, 440.010(1), 441.005, 520.010, 520.030, 520.040; ACA Standards 4-4302, 4-4303, 4-4304, 4- 4305, and 4-4306 P&P ACA 2C-04, 2C-05 CPP 9.9, 15.3, 28-03-02	Subject COMMUNITY SERVICE CENTER PROGRAM AND JAIL PLACEMENT	

I. DEFINITIONS

"Director of Population Management" means the supervisor who approves an inmate for placement in jails and in halfway house facilities throughout the state.

"Community Service Centers" means jails, halfway houses, and residential treatment facilities that house state inmates and parolees.

"Deferment" means a Parole Board action in which the final decision concerning parole for an inmate is continued for a certain number of months.

"Escape" is defined in KRS 520.010(5).

"Halfway house" means a residential facility, located in the community, which provides services to felons, probationers, parolees, and pre-release offenders.

"Jail" means a jail as defined by KRS 441.005(1) or a regional jail as defined by KRS 441.005(7).

"Meritorious Good Time" means a sentence credit that may be awarded at the discretion of the Commissioner or his designee not to exceed seven (7) days per month pursuant to KRS 197.045(1)(b)(2).

"Parolee" means a person who has been released from a correctional facility to parole.

"Probationer" means a person convicted but not yet imprisoned, on the conditions of continued good behavior and regular reporting to a probation officer.

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"Reintegration" means the process of preparing both community and offender for his return as a productive and accepted citizen.

"Relative" is defined in KRS 439.580(5).

"Statutory Good Time" means a sentence credit that may be awarded pursuant to KRS 197.045(1)(b)(1).

II. POLICY and PROCEDURES

Kentucky Department of Corrections shall administer the community service center program to divert an offender from an institution and reintegrate him into society. An individual in the program shall be serving a felony sentence in a local jail, halfway house, or residential treatment program under contractual agreement with the Department of Corrections.

A. An inmate meeting the following criteria may be recommended for transfer to a community service center. An inmate shall:

1. Qualify for community custody as established by the Corrections Classification Manual;
2. Remain in the program a minimum of thirty (30) days; and
3. Be physically and psychologically capable of functioning in the community service center without ongoing professional intervention.

B. Parolee and Probationer Placements

1. Parolees selected for placement in a halfway house program as a graduated sanction shall be approved by a supervisor. Placement in a halfway house program shall be assigned by the Community Placement Office.
 - a. Parolees participating in a halfway house program shall be allowed a maximum stay of one hundred-twenty (120) days in a halfway house facility.
 - b. If unusual circumstances exist, extensions may be granted in thirty (30) day intervals with written justification submitted to the Division of Probation and Parole for final approval.
2. If bed space is available, probationers may participate in a halfway house program with a maximum stay of six (6) months in a halfway house facility.

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C. Placement Priorities

1. Each offender's eligibility and needs assessment shall dictate the appropriateness of a community service center placement as a graduated sanction or reintegration mode of case management.
2. Priority shall be given to:
 - a. Qualified parolee
 - b. Offender qualified for SAP program
 - c. Qualified inmate

D. Community Service Center Transfer Process

1. An inmate transfer to a community service center shall be coordinated by the Division of Probation and Parole in conjunction with the Classification Office.
2. If an inmate is transferred to a community service center, the medical record shall be sent to the receiving jail or halfway house.
3. An inmate transferred to a community service center shall bring all personal belongings with him.
4. The offender record shall be maintained in the offender management system by Offender Information Services staff. If transferred, the inmate's money shall be sent to the appropriate personnel at the community service center.

E. Transfers from Community Service Centers

1. An inmate in the community service center may be transferred back to an institution. The reason for a transfer may include medical problems, disciplinary problems, protective custody needs and parole deferments. In all cases, a transfer shall require approval by the Director of Population Management.
2. If immediate action is required, the Probation and Parole Officer shall contact and advise the Community Service Center Coordinator or designee of the need for transfer.

F. Annual Inmate Photographs

A new photograph shall be taken annually of each state inmate in a halfway

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house. The updated photograph shall be obtained on the anniversary date of the inmate's conviction. The photograph shall be immediately placed in the offender management system.

G. Transportation from Community Service Centers

1. An inmate in the community service center shall be transported by community services center personnel as the need arises. This may include Parole Board hearings, shock probation hearings, and transfers back to an institution.
2. If the Department of Corrections transports a halfway house inmate, officers shall follow transportation procedures outlined in CPP 9.9 (Transportation of Offenders).

H. Disciplinary Problems

1. A community service center inmate shall be subject to the rules of conduct particular to each community service center in addition to the Department of Corrections' policies and procedures. Community service center sanctions shall be used for internal control; however, an offense which may result in segregation and statutory loss of good time shall be documented and the inmate transferred back to an institution. A community service center occurrence report describing the nature of the occurrence and a summary of the investigation shall be uploaded into the offender management system by Probation and Parole staff. A disciplinary transfer shall require approval by the Community Service Center Coordinator or designee.
2. The community service center occurrence report shall include:
 - a. The date and time of the incident;
 - b. A listing of the personnel involved;
 - c. A detailed summary of the nature of the occurrence described by the person who witnessed the incident including the jail staff, halfway house staff, or work supervisor;
 - d. A summary of the investigation described by the Probation and Parole Officer or Supervisor who did not witness the incident; and
 - e. Any necessary documentation attached to the report.

I. Community Service Center Release Procedures

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Proper care shall be given towards the handling of the legal release of an inmate in the community service center program.

1. Court Order Shock Probation

- a. Application: The Probation and Parole Officer shall facilitate contact with the local Public Advocate's Office concerning an application for court ordered shock probation, legal problems and questions the community service center inmate may have.
- b. Transportation: The local Probation and Parole Officer shall provide transportation for a verified court order to produce the inmate for a shock probation hearing. Prior to the hearing the Probation and Parole Officer shall review available information to ascertain whether the inmate is serving a sentence from another court or has a detainer.
- c. Release: If an order to release an inmate is received through the mail, fax, or any other method it shall be forwarded to Central Office Offender Information Services for review. The Circuit Court Clerk's office shall be contacted by Central Office Offender Information Services to verify the order upon advisement that shock probation has been granted. Upon authorization that the inmate may be released per the court order, Central Office Offender Information Services shall notify the Community Service Center operator and Probation and Parole Officer as well as forward a Notice of Discharge and advise of any detainers that may be present. A copy shall be taken to the center operator by the Probation & Parole Officer and the inmate advised of any stipulations concerning the probation. If the Probation and Parole Officer is unable to be present at the center, a telephone call may be made to the center operator advising him to release the particular inmate.

2. Parole Release

- a. Every effort shall be made by the Probation and Parole Officer to assist the inmate in seeking employment and home placement.
- b. An inmate recommended for parole shall be released on parole pursuant to procedures outlined in CPP 28-03-02 (Release on Parole). Once the parole papers are received, the Probation and Parole Officer shall instruct the parolee to sign the certificate and issue the original copy to the parolee. The signed parole certificate and notice of discharge shall be documented in the offender management system.

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3. Expiration Release

For a release upon expiration of sentence, Central Office Offender Information Services shall authorize an inmate's release by forwarding a notice of discharge to the Community Service Center operator and Probation and Parole. Notice of the inmate's release shall be made by Offender Information Services pursuant to KRS 197.170.

J. Escape

An inmate who does not return from furlough or who escapes from a community service center shall be prosecuted for escape. The following procedures shall be carried out to ensure the apprehension of the escapee in a timely and well organized manner.

1. Responsibility of the Jailer or Halfway House Director

a. Within one (1) hour of the escape, the Jailer or Halfway House Director shall provide notification to:

- (1) The Probation & Parole Officer
- (2) Victim Information Notification System (VINE)
- (3) Local law enforcement and state police, and
- (4) Central Office staff and Community Service Center Coordinator or designee.

b. Prepare an extraordinary occurrence report within twenty-four (24) hours and submit it to the Community Service Center Coordinator or designee and enter documentation in the offender management system.

2. Responsibilities of the Community Service Center Coordinator

a. Upon notification of details of escape, submit all information regarding the escape to Adult Institutions to be distributed to the proper authorities.

b. Immediately provide notice to Central Office Local Facilities staff for warrant entry into the National Crime Information Center (NCIC).

c. If an inmate is released erroneously from a halfway house or jail

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prior to the service of his sentence, the Community Service Center Coordinator shall secure a warden's warrant for escape as provided in KRS 440.010(1) from the designated Local Facilities staff.

- d. If the escapee has relatives in other states or it is known that the escapee is heading to another state, assistance in apprehending the escapee may be obtained through the United States Attorney or local law enforcement. A request for assistance may include a copy of the escape flyer and other pertinent information like relatives, addresses, city and state.
- e. A notice of discharge showing that the inmate was discharged by escape shall be prepared by Offender Information Services and uploaded to the offender management system. Notice of the inmate's release shall be made pursuant to KRS 197.170.

K. Apprehension of Escapee

1. Once the escapee is apprehended, the Community Service Center Coordinator or designee and the District Supervisor shall be notified. Additionally, the escapee's name shall be removed from NCIC and VINE.
2. If the probation and parole officer is successful in apprehending an escapee, the escapee shall be returned directly to a designated secure institution.
3. If the escapee is apprehended by a local official on the county's escape warrant, the escapee shall be lodged in the local jail. The Probation and Parole Officer shall immediately lodge a detainer and request a copy of the warden's warrant. Upon receipt of the warrant, the detainer shall be removed and the warrant lodged as the detainer. Additionally, the date the detainer is withdrawn shall be marked on the detainer stub.
4. Upon apprehension, the Warrants & Extradition Office shall provide escape apprehension notification to Adult Institutions, Offender Information Services, Classification, and Probation and Parole.
5. Upon notification, Classification shall reclassify the offender to a designated secure local facility or direct transfer of the inmate to an appropriate secure institution if statutorily ineligible for housing in a local facility as the inmate's classification allows. The offender shall be transported by the Department of Corrections. If local charges are incurred with apprehensions, the offender may be transferred to an institution with a detainer filed.

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6. If the escapee is apprehended out of state, the Warrants & Extradition Office, in conjunction with the Community Service Center Coordinator or designee, shall coordinate and schedule return arrangements. The escapee shall sign a waiver of extradition before arrangements may be completed for return or else an extradition proceeding shall be made through the Governor.
7. If the escapee is apprehended, the Community Service Center Coordinator or designee shall have the warden's warrant returned and placed in the inmate file.
8. Upon notification that an escapee has been apprehended, the Community Service Center Coordinator, through Adult Institutions, shall notify the proper authorities, including Classification, Adult Institutions, Administrative Services, and Offender Information Services.
9. All documentation regarding the offender's apprehension shall be uploaded in the offender management system.

L. Medical Needs of Community Service Center Inmates

1. An inmate classified to a community service center shall be capable of functioning without significant ongoing professional intervention for physical or psychological problems. If the need for ongoing intervention develops, the inmate may be returned to an appropriate institution.
2. The day-to-day minor medical needs shall be handled by the center operator in the same fashion as his general population.
3. An immediate need shall be taken care of by the center with notification to the Probation and Parole Officer assigned to the center.
4. In most cases, medical needs may be handled by the available local health services.. The Community Service Center Coordinator or designee shall work closely with the Department's Medical Services and provide direction concerning requests for medical care which are not of an immediate nature and cases in which local medical personnel recommend hospitalization.
5. Bills for hospital admission shall be sent to the Department of Correction's administrative billing services and the Department's contracted medical services provider.
6. The Department's Medical Services shall provide direction as to what action shall be taken.

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M. Utilization of Community Service Center Inmates for Work Projects

1. An inmate in the community service center may be utilized for governmental work projects. These activities shall be supervised by a specific individual and shall represent a community rather than a personal need or benefit. An inmate shall not work in private enterprises or in an activity that may be considered particularly dangerous.
2. A new work site shall be approved through the Probation & Parole Office, Community Service Center, and the Community Service Center Coordinator.
3. The work supervisor shall sign the Supervision Guidelines for community service center inmates and shall complete a work site supervisor training. Each community service center inmate assigned to a work crew shall sign the Work Experience Code of Conduct.

N. Work Crew Rules

The following work crew rules shall be followed at each community service center:

1. A log shall be maintained at each community service center documenting departure and arrival of each inmate from the center and his assigned work supervisor;
2. One (1) regular supervisor shall be assigned for each inmate crew;
3. An inmate shall not be allowed to visit with a friend or relative while working on an outside detail;
4. While on work detail, the inmate shall remain in his assigned work area;
5. An inmate shall not be paid by an organization or person other than the Department of Corrections for community service work;
6. Misconduct, fighting, stealing, leaving the work site without supervision, or possession of contraband shall be reported to the Jailer, Community Service Center, and Community Service Center Coordinator immediately;

O. Meritorious Good Time

An inmate may be eligible for an award of meritorious good time in accordance with Corrections Policy and Procedure 15.3.

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P. Community Center Monthly Report

The Community Service Center shall prepare a monthly report to be sent to the Community Service Center Coordinator, District Probation and Parole Office Supervisor, and Branch Manager.

Q. Probation and Parole Officer's Responsibilities

The Probation and Parole Officer shall coordinate and monitor the community service center program to insure compliance with Corrections Policies and Procedures, contractual requirements, and rules pertaining to the community service center program. The Probation and Parole Officer shall:

1. Facilitate furloughs for community service center residents except as otherwise provided;
2. Assist in transportation;
3. Coordinate transfers for parolees from the community service center;
4. Assist the community service center in obtaining work, educational, and recreational programs that benefit the community service center inmate;
5. Make recommendations to the Jailer Community Service Center Director or designee as to the appropriate work assignments for the inmate;
6. Meet a minimum of once each week with the Jailer, Community Service Center Director, or designee regarding the community service center program;
7. Check the jail log weekly to determine the arrival and departure of the inmate on work assignment, furlough, or other approved release;
8. Visit the work site twice per month to insure inmates are properly supervised;
9. Coordinate annual training of work supervisors and training for new supervisors prior to being assigned inmates;
10. Check to insure that the work supervisor has signed and understands the work supervision guidelines;
11. Check to insure that the community service center inmates have signed and understand the work code of conduct;

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12. Schedule a weekly time period at the facility to be available to meet with the inmate as needed;
13. Review monthly community service center reports;
14. Maintain documentation of all contacts with the community service center offenders;
15. Forward written reports to the District Supervisor or designee of violations regarding compliance with contractual agreements and rules for the community service center program;
16. Provide notification to the Classification Branch if an inmate is removed from the community service center on violations and returned to custody; and
17. Perform other related duties as assigned.


R. Responsibilities of the Jailer or Community Service Center Director

The Jailer or Community Service Center Director to ensure public safety shall provide adequate supervision and close monitoring of the community service center inmates. In order for the program to be successful in the local community and statewide, the following minimum requirements shall be met by the Jailer or Community Service Center Director. The Jailer or Community Service Center Director or designee shall:

1. Provide the inmate with a copy of the rules regarding the community service center program;
2. Consult with the Probation and Parole Officer concerning the inmate job assignment and advise the Probation and Parole Officer of a change in the work assignment;
3. Visit each work site a minimum of twice each month to ensure proper work supervision and document the visit in a log;
4. Meet with the work supervisor biannually to review work assignments, disciplinary problems, and supervision requirements;
5. Work to minimize contact between a community service center inmate and the general public except on a supervised work detail or approved supervised recreational activity;
6. Coordinate and schedule contact visitation, work details, use of exercise, and multi-purpose areas; and

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7. Ensure that the community service center inmate is properly supervised by trained staff if outside the security of the jail or halfway house for a purpose other than a normal work assignment. An adequate staff to inmate ratio shall be maintained to ensure proper supervision based on the security needs. Outside activities shall be approved by the Halfway House Coordinator.

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	25.10	2
	Date Filed	Effective Date
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References/Authority KRS 196.035, 197.020, 197.175 ACA 4-4446	Subject ADMINISTRATIVE RELEASE OF INMATES	

I. DEFINITION

“Administrative release date” means the first day of the month during which an inmate’s minimum expiration date falls or the last weekday of the preceding month if the first day falls on Saturday, Sunday, or a legal holiday.

“Non-institutional offender” means a state inmate who is serving a sentence in a county jail, reentry service center or on home incarceration.


II. POLICY and PROCEDURES

- A. An inmate shall be released on his administrative release date with the following exceptions:
1. An institutional inmate presently serving segregation time;
 2. An inmate who has an outstanding good time loss;
 3. An institutional inmate who has a pending disciplinary report;
 4. An institutional inmate who has a disciplinary action involving segregation time or good time loss which has been stayed pending appeal; or
 5. A non-institutional inmate who has committed a major category write-up within the last six (6) months.
- B. If an inmate has an outstanding detainer, arrangements shall be made prior to the month in which his sentence expires for his release to the detaining authorities on the administrative release date.
- C. There may be extreme circumstances whereby releasing an inmate on his administrative release date is not feasible. In these cases, the inmate shall be released on the first day possible, compatible to the needs of the Department of Corrections and the detaining authorities. Any release to a detainer, on a date other

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than the administrative release date shall be approved by the Commissioner or his designee.

- D. Only non-institutional inmates who have been reviewed and approved by the Central Office Offender Information Services Branch shall be released on the administrative release date.
- E. Institutional inmates shall be reviewed and approved by the institutional Offender Information Services Office for release on the administrative release date.

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References/Authority KRS 196.280, 196.035, 197.020, 197.170, 421.500 ACA 4-4447-1	Subject VICTIM SERVICES	

I. DEFINITIONS

“OVS” is the Office of Victim Services, Kentucky Department of Corrections.

"Victims" is defined by KRS 421.500.

II. POLICY and PROCEDURES

Corrections officials and private prison officials shall inform victims of the release or escape of convicted felons from custody.

A. Procedure for processing written notification.

1. A victim requesting notification of an inmate's release shall make a written request to the Department of Corrections Office of Victim Services, providing current address, home telephone number and daytime telephone number, if different. OVS shall immediately notify the victim of receipt of written request. If the victim contacts the institution first, the designated victim coordinator shall refer the victim to the DOC website for the written notification request form. If internet access is unavailable, the designated victim coordinator shall mail the written notification request form to the victim. The request from victim along with the letter from OVS shall be scanned into the offender management system and shall be marked as OVS Notification Request. The inmate's record in the offender management system shall be marked with a precaution alert with a note referencing the victim's written request.
2. Inmates who are being released by parole shall have an approved placement. Release information can be extracted from the approved parole placement information. An inmate being released from custody shall be required to leave the name and address of the person with whom he shall reside. Each person offering a home placement to an inmate being released

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by parole shall be notified that his name and address shall be released to the victim if requested.


3. The requesting victim shall be notified by letter of an inmate's release if he has provided a current address and telephone number along with his request. If the inmate provides an address and person to whom he is being released, that shall also be provided to the requesting victim.
4.
 - a. The Warden or his designee shall notify the requesting victim ten (10) working days prior to an inmate's release from that institution by furlough, parole or expiration of sentence.
 - b. Ten (10) working days prior to an inmate's furlough from a community service center or local facility, the Community Service Center Program Administrator shall notify the requesting victim.
 - c. Ten (10) working days prior to an inmate's release from custody from a community service center or local facility, Central Office Offender Information staff shall notify the requesting victim.
5. If an immediate release is effected, a telephone call shall be made to the documented number of the requesting victim. Written notification shall be forwarded within twenty-four (24) hours of the release. Only in the case of an inmate's completion of sentence shall the precaution alert be closed.
6. In a court-ordered discharge or escape, the requesting victim shall be notified of the date and time of the discharge or escape. This notification shall be by telephone if a number is available and shall occur as soon as possible. If no telephone number is available, written notification shall be mailed to the requesting victim within twenty-four (24) hours of the escape. When an escaped inmate returns to departmental custody, the requesting victim shall be notified of the apprehension in the same manner he was notified of the escape.
7. The requesting victim shall be responsible for keeping the Department advised of any change of address or telephone number. The Department shall serve notice to the address and telephone number of record only.
8. The Warden, Director of Local Facilities or his designees shall document in the inmate's file all attempts to notify the requesting victim by mail, telephone or fax. A detailed case note shall be entered into the offender management system of notification or attempts to notify victim(s) to include the name of the person making the call, the date and time of the call, whether the call was completed and the name of the person receiving the call.

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B. Procedure for electronic notification.

Corrections contracts with a vendor by the authority of KRS 196.280 to provide notification to victims or members of the public who request to be notified through the automated victim notification system known as V.I.N.E. (Victim Information and Notification Everyday). Notifications advise victims or members of the public that request to be notified, of all custody changes concerning their offender. Corrections uses "Alert Express" to notify members of the public, who live in the general vicinity of a prison facility, of all escapes that occur from that local facility. Only those members of the public who have called in their registration to be notified shall receive the automated telephonic notification.

The Department of Corrections shall provide training to staff involved with victim's issues to include specific services available to crime victims, changes in laws impacting victims, way(s) of gaining access to services, confidentiality of victim information, ways for victims to communicate complaints and other concerns.

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KRS 17.500, 17.550, 196.035, 197.020, 197.170, 440.010, 520.010, 532.200, 532.210, 532.220, 532.230, 532.240, 532.250, 532.260, 532.262 CPP 27-15-02, 27-22-02	HOME INCARCERATION PROGRAM	

I. DEFINITIONS

“Approved monitoring device” is defined in KRS 532.200(5).

“Eligibility review list” means a list generated from the offender management system of the names of inmates who are within three hundred sixty-five (365) days of their minimum expiration date to be reviewed for eligibility for the home incarceration program.

“Emergency” means an unexpected, legitimate condition that would cause an inmate to violate a condition, order or directive relating to home incarceration and monitoring.

“Escape” is defined in KRS 520.010(5).

“Home” is defined in KRS 532.200(1).

“Home incarceration” is defined in KRS 532.200(2).

“Sex crime” is defined in KRS 17.500.

II. POLICY and PROCEDURE

A. In order to maintain a program for review of inmates for home incarceration and electronic monitoring pursuant to KRS 532.260, the Program Administrator shall:

1. Oversee and manage the home incarceration and electronic monitoring program for inmates;
2. Monitor and revise procedures for the program;
3. Review and approve or disapprove placement in the home incarceration program;

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4. Collect data relevant to the program; and
 5. Maintain a list of inmates and offenders on home incarceration.
- B. In order for an inmate to be considered for transfer to home incarceration the inmate shall:
1. Be a class C or D inmate who meets the eligibility requirements of KRS 532.260(1);
 2. Have no prior convictions for a violent felony as listed in the offense charts for violent offenses on pages 36 - 38 of the Classification Manual incorporated by reference in 501 KAR 6:080 or sex crime;
 3. Have nine (9) months or less to serve on his sentence after receiving eligible meritorious good time credit;
 4. Not have a pending felony charge, detainer, warrant or other process issued by a jurisdiction pursuant to KRS 532.230;
 5. Not have an active emergency protective order, domestic violence order, or permanent protective order;
 6. Not have more than ninety (90) days restorable good time loss;
 7. Be classified as Level 1 or Level 2 custody according to the Classification Manual;
 8. Not be determined guilty of any category VII disciplinary violation within the last five (5) years;
 9. If serving an escape conviction, the offense date shall be more than five years old;
 10. Freely and voluntarily agree in writing to home incarceration and the conditions set by the Department of Corrections and KRS 532.220; and
 11. Have an approved home placement within Kentucky.

III. REVIEW PROCEDURES

- A. Institutional and Jail Review Procedures for designated institutional staff members and Home Incarceration Program (HIP) Officers:
1. Review the eligibility list of inmates serving on class C or D felonies generated from the offender management system for program eligibility. If eligible, complete a records check to confirm program eligibility.

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2. Inmates who meet eligibility requirements shall be reviewed in regards to SAP status and requirements.
3. Send home placement form to the class D coordinator at the local jail.
4. Upon receiving the home placement form, determine if the inmate requests placement in the home incarceration program and has a home placement.
5. If the inmate is not eligible or does not have a home placement, document the specific reasons for ineligibility in the offender management system and provide notice of ineligibility to the inmate and Central Office HIP staff.
6. The officer shall submit a discharge plan in the offender management system.
7. Process the home placement form and enter the discharge plan in the offender management system within five (5) days. Processing beyond five (5) business days shall require approval from the Program Administrator.
8. Notify the inmate upon acceptance or rejection for the Home Incarceration Program.

B. Central Office processing procedures:

1. The Home Incarceration Program Administrator or designee shall review the recommendation and ineligibility determinations for accuracy.
2. The Home Incarceration Program Administrator or designee shall intermittently review an inmate's continued program eligibility.
3. Offender Information Services staff shall audit the inmate's sentence calculation.
4. In the absence of the assigned HIP Officer, the Program Administrator shall assign another HIP Officer or designee to process the required documentation.
5. If the inmate is not classified, the inmate shall be submitted to the Classification Branch.

C. Investigation of the home placement:

1. The HIP Officer or designee shall verify and approve the home placement.
2. In areas requiring a landline phone, the officer shall confirm the inmate's residence has a valid landline phone. Prior to recommending the discharge

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plan, the HIP Officer or designee shall select the correct monitoring equipment.

3. All home placement investigations shall be completed and returned to Central Office HIP staff within five (5) working days.

IV. PROCEDURES FOR TRANSFER TO THE HOME INCARCERATION PROGRAM

- A. Upon final approval of home placement and program eligibility, the Central Office HIP staff shall provide transfer documentation and notification of the inmate's release date to the following:
 1. Electronic monitoring vendor;
 2. Institution or facility where inmate is located; and
 3. Probation and Parole Officer, District Supervisor, and District Transfer Investigation Box for the county in which the inmate will reside.
- B. Prior to release, the electronic monitoring vendor shall enter the necessary information for the initial enrollment in the electronic monitoring service provider's web-based system.
- C. Prior to transfer of the inmate to the home incarceration program, all appropriate home incarceration documentation shall be completed and signed.
 1. Prior to transfer, the HIP transfer paperwork shall be emailed to the jail or facility. Upon confirmation by the facility, the HIP Officer shall update documentation in the offender management system.
 2. Prior to the inmate's release from custody from the jail or prison facility, the officer shall assist the inmate in arranging for transportation. If needed, the inmate shall be transported to the bus station.
 3. On the day of transfer, the HIP Officer shall confirm with facility staff the transfer of the inmate to the HIP program by the inmate's release from the facility.
- D. Upon transfer, the inmate shall be provided the date and time to report to the Probation and Parole Office to be fitted with the approved monitoring device. The electronic monitoring service shall provide all electronic monitoring equipment. All hook up and termination of equipment shall be completed by the electronic monitoring service provider or trained DOC staff.
- E. If an inmate is released from an institution, the institution's Offender Information Services staff shall enter the external movement into KOMS transferring the inmate to home incarceration. If the inmate is released from a local jail facility or halfway

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house, Central Office HIP staff shall enter the external movement into the offender management system transferring the inmate to home incarceration. Upon the offender's release from the custody to home incarceration, the external movement entry in the offender management system automatically activates VINE notification.

- F. Upon reporting to the Probation & Parole Office for equipment hook-up, the inmate shall review the program rules and submit a signed agreement to participate in the home incarceration program. The inmate's program eligibility and agreement to participate shall be documented in the offender management system.

V. CONDITIONS OF PROGRAM

A. An inmate placed on home incarceration shall:

1. Have the ability to be monitored through a telephone landline unit or cellular network tower that is compatible with an approved monitoring device;
2. If applicable, pay any restitution owed from earnings; and
3. Report to the assigned Probation and Parole Office as directed and for approval of schedule changes as needed.

B. Supervising Home Incarceration Program Inmates

1. A HIP inmate shall report to the HIP Officer at least one time per month.
2. A HIP inmate shall be reviewed and scored by means of a risk and needs assessment. See CPP 29.1 Risk and Needs Assessment.
3. The Case Planning phase shall be followed per CPP 29.2.

C. Home Incarceration Program Violator Procedures

1. Probation and Parole shall complete a violation report in KOMS for all violations.
2. The HIP Officer or designee shall report any home incarceration violations to the Central Office HIP staff or Program Administrator and District Supervisor or designee. The HIP Officer shall enter a supervision contact into KOMS for each home incarceration violation. The Central Office HIP Program Administrator and District Supervisor shall be notified during business hours and provided with a violation report if the inmate is returned to the institution or jail due to a violation.

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3. The decision to lodge a HIP offender shall be made by the HIP Program Administrator or designee and in consultation with supervising Probation and Parole Officer and District Supervisor or designee.
 4. The HIP Program Administrator shall notify Classification for reclassification of a HIP inmate.
 5. If the violation is substance related:
 - a. The HIP CTO shall refer the HIP inmate to the appropriate Community Social Service Clinician.
 - b. The Community Social Service Clinician shall assess the HIP inmate and recommend the appropriate level of treatment based on assessed need.
 - c. Classification shall review custody level and reclassify as necessary.
 - d. If the custody level permits the HIP inmate to remain on HIP:
 - (1) If the level of treatment is IOP, Classification shall notify HIP Program Administrator and Community SSC who shall arrange to return the HIP inmate to HIP and schedule appointment with CMHC.
 - (2) If the level of treatment is community residential, Classification shall request a treatment bed from the Placement Office and copy the HIP Program Administrator or designee. Once a treatment bed is obtained, the Placement Office shall send a releasing email to the Class D Officer of the county in which the HIP inmate is in custody, the District inbox, the District Supervisor or Designee, HIP inmate's supervising Officer, HIP Program Administrator or HIP Program Administrator Designee.
 6. If the HIP inmate is offered treatment and refuses, the Probation and Parole Officer shall prepare a violation report. The HIP Program Administrator or designee shall notify Classification to review custody level and reclassify as necessary.
- D. The inmate may be lodged in the county jail on a detainer if a violation occurs. These violations include:
1. Use or possession of alcohol or illegal drugs;
 2. Possession of a deadly weapon or dangerous instrument;

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3. Unauthorized change of home placement;
4. Failure to report to HIP Officer or Probation and Parole Officer as directed;
5. Failure to submit to a drug test;
6. Leaving the county of residence without authorization;
7. Tampering with or removal of the electronic monitoring equipment;
8. Unauthorized absence from home in excess of one hour and thirty minutes (1.5 hours); or
9. An arrest for a misdemeanor or felony offense committed while on the home incarceration program.

E. If the HIP participant loses his home placement and no violation has occurred, the offender shall be returned to the custody of Department of Corrections and be given the opportunity to find another. If another home placement is not available, the offender shall remain in custody with no HIP violation.

F. An inmate who violates the terms of home incarceration may be returned to an institution or jail. If the violation was an absence from required placement for longer than one hour and thirty minutes, the inmate may be charged with escape.

G. The HIP Officer or designee shall enter a supervision contact and documentation in the offender management system for any violations of the Home Incarceration Program. The HIP Officer shall enter an external movement for an offender returning to custody from the Home Incarceration Program due to violations. All electronic monitoring equipment shall be collected and returned to the electronic monitoring vendor.

H. The grievance procedure for inmates supervised under the home incarceration program is outlined in CPP 27-12-06.


VI. COMPLETION OF HOME INCARCERATION

A. On the inmate's release date from home incarceration (i.e. minimum expiration date, transfer to parole, transfer to mandatory reentry supervision), the inmate shall report to the Probation and Parole Office with all monitoring equipment for removal of the approved monitoring device. The device shall be removed, equipment shall be returned and the inmate shall receive his final discharge or release to parole or mandatory reentry supervision.

B. The HIP Officer or designee shall enter a supervision contact to reflect the discharge from the Home Incarceration Program and the reason for discharge.

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- C. The HIP Officer or designee shall document the return of all excess equipment and return the equipment to the electronic monitoring vendor.
- D. Offender Information Services or HIP Officer shall enter an external movement and activate VINE immediately upon the inmate's release from the Home Incarceration Program.

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<p>Authority/References</p> <p>KRS 196.030, 196.035, 196.070, 196.075, 197.020, Chap. 218A, 439.250, 439.310, 439.3110, 439.3401, 441.560, Chap. 510, 529.100, 530.020, 530.064, 531.310, 531.320 CPP 18.1, 25.11 Probation and Parole 27-15-03, 27-14-01</p>	<p>Subject</p> <p style="text-align: center;">WOMEN'S MEDICAL RELEASE: PREGNANCY</p>	

I. DEFINITIONS

“Licensed inpatient residential treatment program” means a residential treatment program recognized by the Cabinet for Health and Family Services as a behavioral health service organization or alcohol and other drug abuse treatment provider.

“Women’s Medical Release” means a form of pregnancy release established pursuant to KRS 439.3110.

II. POLICY and PROCEDURE

A. Women’s Medical Release Requirements

1. A pregnant offender shall be reviewed for Women’s Medical Release based on the following requirements:
 - a. Currently incarcerated on a sentence or under the supervision of the Division of Probation and Parole for a Kentucky sentence;
 - b. Determined by the Court or the Department of Corrections Division of Substance Abuse to have a substance use disorder;
 - c. Currently charged with or serving on one or more convictions under KRS Chapter 218A; and
 - d. Has never been convicted of and does not have pending charges for any of the following offenses:
 - (1) Violent offense under KRS 439.3401;

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- (2) Sex offense under KRS Chapter 510;
 - (3) Human Trafficking involving commercial sexual activity (KRS 529.100);
 - (4) Incest (KRS 530.020);
 - (5) Unlawful Transaction with a Minor 1st Degree involving illegal sexual activity (KRS 530.064);
 - (6) Use of a Minor in a Sexual Performance (KRS 531.310); or
 - (7) Promoting Sexual Performance by a Minor (KRS 531.320).
2. An inmate housed in a jail that transports for or provides a substance abuse program for female inmates and who is eligible to participate in the substance abuse program shall not be subject to Women's Medical Release.
 3. Individuals eligible for Women's Medical Release, other than those subject to order of the Court, shall be subject to conditions of release set by the Department of Corrections.
 4. Individuals previously released and subsequently returned for a violation of Women's Medical Release shall not again be eligible for Women's Medical Release during service of the sentence for which they were previously granted Women's Medical Release.
- B. County Inmates Housed by Department of Corrections according to KRS 441.560
1. For county inmates in the Department's custody pursuant to KRS 441.560 who appear to be eligible for Women's Medical Release, the Division of Local Facilities shall alert the originating local detention facility.
 2. The local detention facility shall be responsible for making arrangements to take custody of the inmate for return to the county of original jurisdiction pending the Court's order regarding Women's Medical Release.
 3. The county inmate shall be returned to the Court for determination of Women's Medical Release eligibility, including determination of a substance use disorder, and release to Women's Medical Release.
- C. Prison Inmate Women's Medical Release Eligibility and Release Procedures
1. Upon identifying an inmate who appears eligible for Women's Medical

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Release, the institution's Re-Entry Coordinator or designee shall confirm eligibility by:

- a. Consulting the institutional medical provider to confirm the inmate's medical status;
 - b. Reviewing the inmate's record with Offender Information Services to assess if the inmate's offense or pending charges meet the eligibility criteria;
 - c. Requesting an assessment for a substance use disorder from the Division of Substance Abuse. The Division of Substance Abuse shall document the assessment results in the offender management system;
 - d. Documenting eligibility for Women's Medical Release in the offender management system; and
 - e. Notifying Offender Information Services of an inmate's eligibility, who shall review for release. Approval for release shall be documented in the offender management system.
2. Upon determination that an inmate is eligible for Women's Medical Release, the institution's Offender Information Services staff or designee shall provide the inmate information about Women's Medical Release.
- a. The inmate's agreement to participate shall be acknowledged in writing and she shall agree to abide by the conditions of Women's Medical Release in writing.
 - b. If an inmate refuses to abide by the release conditions, the inmate shall no longer be eligible for release.
 - c. The inmate's agreement to participate or refusal shall be documented in the offender management system.
3. Once an eligible inmate agrees to participate, the Re-Entry Coordinator or designee shall contact Victim Services who shall provide victim notification of the upcoming release, if applicable.
4. Upon notice of an eligible inmate's agreement to participate, the institution shall contact Offender Information Services Placement Office, who shall work in consultation with the Division of Substance Abuse to locate placement for the inmate in a licensed inpatient residential treatment program. The inmate may choose a licensed inpatient residential treatment program of her choice and provide verification of

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acceptance into the program. The inmate shall remain in custody until a bed is available.

5. Upon notice of an inmate's participation and bed availability, the institution shall enter a placement discharge plan.
6. Offender Information Services shall notify the institution that the offender is approved for release. The institution shall process the inmate for release and issue a notice of discharge to Women's Medical Release:
 - a. Prior to release, the inmate shall sign conditions of release and a release of information for the licensed inpatient residential treatment program which shall be retained in the inmate's record in the offender management system;
 - b. An inmate released to a detainer shall be provided instructions to contact the Department of Corrections within twenty-four (24) hours of release from the detainer to obtain reporting instructions. The inmate shall acknowledge the duty to report to the licensed inpatient residential treatment program upon release from the detainer;
 - c. The institution shall assist in arranging transportation to the licensed inpatient residential treatment program, if needed;
 - d. Upon release, the institution shall notify the Department of Community Based Services (DCBS);
 - e. Upon release, if applicable, victim notification shall be conducted according to CPP 25.11;
 - f. The Division of Probation and Parole shall document the inmate's entrance to the licensed inpatient residential treatment program in the offender management system; and
 - g. The institution shall notify the Division of Probation and Parole Central Office of an inmate's release to Women's Medical Release. The inmate's status shall be updated in the offender management system to reflect Women's Medical Release.
7. While on Women's Medical Release, the inmate shall be monitored according to Subsection II (F).

D. Jail State Inmate Women's Medical Release Eligibility and Release Procedures

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1. Upon identifying a state inmate serving her sentence in a jail who appears eligible for Women's Medical Release, the Classification Branch, in conjunction with the Division of Local Facilities, shall confirm eligibility by:
 - a. Receiving a medical movement from the jail which indicates the inmate's medical status;
 - b. Reviewing the inmate's record with Offender Information Services to assess if the inmate's offense or pending charges meet the eligibility criteria;
 - c. Requesting an assessment for a substance use disorder from the Division of Substance Abuse. The Division of Substance Abuse shall document the results in the offender management system;
 - d. Documenting the eligibility determination for Women's Medical Release in the offender management system; and
 - e. Notifying Offender Information Services of an inmate's eligibility, who shall review for release. Approval for release shall be documented in the offender management system.
2. Upon determination that a jail inmate is eligible for Women's Medical Release, the Classification Branch shall notify Probation and Parole. Probation and Parole shall provide the inmate information about Women's Medical Release in accordance with Subsection II (C)(2).
3. Once an eligible inmate agrees to participate, Probation and Parole shall contact Victim Services, who shall provide victim notification of the upcoming release, if applicable.
4. Upon notice of an eligible inmate's agreement to participate, the Division of Probation and Parole shall notify the Offender Information Services Placement Office and the Classification Branch, who shall work in consultation with the Division of Substance Abuse to locate placement for the inmate in a licensed inpatient residential treatment program. The inmate may choose a licensed inpatient residential treatment program of her choice and provide verification of acceptance into the program. The inmate shall remain in custody until a bed is available.
5. Upon notice of an inmate's participation and bed availability, Offender Information Services shall enter a placement discharge plan.
6. Offender Information Services shall review for release and notify Probation and Parole once the offender has been approved for release.

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7. Probation and Parole shall process the inmate for release according to Subsection II (C)(6). While on Women's Medical Release, the inmate shall be monitored according to Subsection II (F).

E. Community Supervision Offenders

1. Post Release Supervision Offenders under Home Incarceration Program, Parole, Mandatory Reentry Supervision, and Postincarceration Supervision:
 - a. If an offender under post release supervision is pregnant and incarcerated for violations of supervision, the jail shall submit notification of medical status to the Department of Corrections Classification Branch. Upon receipt, the offender shall be reviewed for eligibility by the Classification Branch pursuant to Subsection II (A)(1) and, if eligible, processed for release to Women's Medical Release according to Subsection II (D).
 - b. If a community offender under post release supervision is pregnant, the offender shall be reviewed for Women's Medical Release eligibility:
 - (1) The offender shall provide verification of the qualifying medical condition which shall be documented in the offender management system. Verification may be through pregnancy testing with the offender's signed consent.
 - (2) The Probation and Parole Officer shall review the offender's record to assess if the offender's offense or pending charges meet the eligibility criteria for Women's Medical Release as outlined in Subsection II (A)(1).
 - (3) The Officer shall provide the offender's information to the Classification Branch, who shall review the offender's record with Offender Information Services to confirm eligibility and coordinate with the Division of Substance Abuse and the Division of Probation and Parole.
 - (4) The Division of Substance Abuse shall assess for a substance abuse disorder and document the assessment results in the offender management system. The Division of Substance Abuse shall notify the Classification Branch and Offender Information Services of the determination.

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- (5) The Classification Branch shall document the eligibility determination for Women's Medical Release in the offender management system.
 - (6) Offender Information Services shall review for release to Women's Medical Release. Approval for release shall be documented in the offender management system. Offender Information Services shall notify the Classification Branch and Probation & Parole, who shall coordinate the offender's release to Women's Medical Release.
- c. If the offender meets the eligibility requirements for Women's Medical Release:
- (1) A Probation and Parole Officer shall provide the offender information about Women's Medical Release:
 - (a) The offender shall indicate agreement to participate and abide by the conditions of Women's Medical Release.
 - (b) If an offender refuses to abide by the conditions of Women's Medical Release, it shall be considered a refusal, with the offender no longer eligible for Women's Medical Release.
 - (c) The offender's agreement to participate or refusal shall be documented in the offender management system.
 - (2) An eligible offender shall be provided information about Women's Medical Release. The steps in Subsection (1) of this section shall apply regardless of compliance with supervision.
 - (3) An eligible offender who previously completed substance abuse treatment and is currently compliant with supervision but is not clinically determined to need licensed inpatient residential substance abuse treatment, shall remain eligible for Women's Medical Release under KRS 439.3110.
 - (a) The offender shall acknowledge receipt of the information and shall agree to participate in the conditions of Women's Medical Release, to include licensed inpatient residential substance abuse treatment.

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- (b) Failure to agree to participate in licensed inpatient residential substance abuse treatment shall be considered as a refusal. Refusal shall be documented in the offender management system.
 - (c) An offender shall not be eligible for release to Women's Medical Release unless admitted to a licensed inpatient residential treatment program.
 - (4) Upon notice of an eligible offender's agreement to participate, the Probation & Parole Regional Manager shall communicate with the Classification Branch and the Division of Substance Abuse, who shall coordinate a treatment placement for the offender. The offender may choose a licensed inpatient residential treatment program of her choice and provide verification of acceptance into the program. The offender shall remain in custody or on active supervision until a bed is available.
 - (5) Prior to release, the offender shall sign conditions of release and a release of information for the licensed inpatient residential treatment program which shall be retained in the offender management system.
 - (6) Probation and Parole shall assist in arranging transportation to the licensed inpatient residential treatment program, if needed.
 - (7) The Division of Probation and Parole shall document the offender's entrance to the licensed inpatient residential treatment program in the offender management system.
 - (8) Upon release, the Officer shall update the offender's status in the offender management system to show Women's Medical Release. (9) While on Women's Medical Release, the offender shall be monitored according to Subsection II (F).
2. Offenders subject to orders of the Court under Misdemeanor Probation, Pre-trial Diversion, Probation, or Shock Probation:
- a. If an offender under the jurisdiction of the Court is pregnant:
 - (1) The Officer shall review the current or pending offense to determine if the offender meets the eligibility requirements

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for Women's Medical Release under pregnancy release conditions established in KRS 439.3110.

- (2) The offender shall provide verification of the qualifying medical condition which shall be documented in the offender management system.
 - (3) The Officer shall review the Women's Medical Release acknowledgement form for eligible offenders under the Court's jurisdiction. The signed form shall be documented in the offender management system.
 - (4) The Officer shall notify the Court through a special supervision report for the Court's ruling and order on eligibility and release, including a determination of a substance use disorder.
 - (5) The Court's ruling and order shall be documented in the offender management system.
 - (6) If the Court orders release in accordance with KRS 439.3110, the Officer shall modify the offender's status in the offender management system to reflect Women's Medical Release.
 - (7) If the Court terminates the sentence early or returns the probationer to supervision following a violation of Women's Medical Release, Probation & Parole shall update the offender's status in the offender management system according to the Court's order.
- b. If a probationer is pregnant and incarcerated for violations of supervision, the jail shall notify the Officer who shall follow the steps outlined in Subsection (a) of this section.
 - c. If requested by the Court, the Division of Substance Abuse may conduct a substance abuse assessment to determine eligibility for Women's Medical Release. The Division of Substance Abuse shall procure placement for an offender in a licensed inpatient residential treatment program if the Court orders the offender to be supervised by Probation & Parole while on Women's Medical Release.
3. If an eligible offender is before the Court for sentencing:

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- a. The Presentence Investigation Report shall indicate the offender's apparent eligibility for Women's Medical Release under KRS 439.3110.
 - b. If the offender is on Women's Medical Release at the time of sentencing or is placed on Women's Medical Release by the Court at sentencing, Probation and Parole shall enter the order for Women's Medical Release pursuant to KRS 439.3110 and update the offender management system to reflect Women's Medical Release status.
 - c. If the offender is not on Women's Medical Release at the time of sentencing and the Court sentences the offender to a state sentence of incarceration, the Department shall review the offender for Women's Medical Release eligibility and if eligible, shall release the offender as authorized by KRS 439.3110, following the steps outlined in Subsection II (A) and II (C).
 - d. If the offender is not on Women's Medical Release at the time of sentencing and the Court places the offender on supervision, the Officer shall review the offender for Women's Medical Release eligibility and follow the steps as outlined for Community Supervision Offenders in Subsection II (E) of this policy, unless previously denied by the Court.
4. Kentucky offenders on interstate compact supervision in another state:
- a. If a Kentucky offender currently on interstate compact supervision in a receiving state is pregnant, the Interstate Compact Office shall follow the steps in Subsection II (E)(1)(b) or (E)(2)(a) to determine eligibility.
 - b. If the offender meets the eligibility requirements for Women's Medical Release, the Interstate Compact Office shall facilitate contact with the other state agency to inquire if the offender agrees to participate.
 - c. As facilitated by the Interstate Compact Office, the offender shall be informed about Women's Medical Release as outlined in Subsection II (E)(1) through (3). The Offender shall be notified of the obligation to enter a licensed inpatient residential treatment program as defined in this policy.
 - d. Upon notice of an eligible offender's agreement to participate, the Interstate Compact Office shall communicate with the Division of Substance Abuse to locate placement for the inmate in a licensed

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inpatient residential treatment facility. The offender may choose a licensed inpatient residential treatment program of her choice and provide verification of acceptance into the program. The offender shall remain incarcerated or on active supervision until a bed is available.

- e. Once a bed is obtained, the offender's signature for the conditions of release and release of information shall be facilitated through the Interstate Compact Office, with all documentation uploaded in the offender management system.
- f. If a bed is obtained, reporting instructions shall be issued to the licensed inpatient residential treatment program. The offender's entrance to the licensed inpatient residential treatment program shall be documented in the offender management system. Upon confirmation of the offender's entrance to the licensed inpatient residential treatment program, the Interstate Compact case shall be closed.
- g. The offender's status in the offender management system shall be updated to reflect Women's Medical Release and the offender monitored in accordance with Subsection II (F). All correspondence for interstate compact offenders shall be conducted in accordance with CPP 27-14-01.

5. If the offender is currently before the Parole Board for violations of supervision:

- a. If the offender is currently held on a parole violation warrant, a request may be submitted to the Parole Board to rescind the warrant to allow for release to Women's Medical Release.
- b. Parole Board warrants that have not been rescinded shall remain pending.

F. Monitoring of Individuals on Women's Medical Release

- 1. For individuals released by the Department to Women's Medical Release, the Division of Probation and Parole shall monitor entrance and completion of the licensed inpatient residential treatment program. The Division of Substance Abuse shall procure verification of program completion. Program completion shall be documented in the offender management system.

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2. Immediately upon release from the licensed inpatient residential treatment program, the individual shall report to the Division of Probation and Parole for updated conditions of Women's Medical Release.
3. Individuals released by the Department to Women's Medical Release shall be subject to monitoring.
4. When releasing an offender to Women's Medical Release who has a detainer, the Department of Corrections staff shall instruct the offender to report to Probation & Parole upon release from the detainer. Individuals on Women's Medical Release who are released to a detainer shall be monitored by the Parole to Hold caseload. Once the offender is released from the detainer, the offender shall report to Probation & Parole for further instructions. The offender may be held in custody until a bed date is available.
5. Inmates and Post Release Supervision Offenders released to Women's Medical Release shall receive the same credits toward their sentence as those awarded to parole offenders.
6. If the Department receives notice of an individual's non-compliance with Women's Medical Release, violation procedures according to Subsection II (G) shall be followed.
7. For record keeping purposes, violations of Women's Medical Release shall be documented in KOMS in the same manner as a violation of supervision.
8. Upon reaching the expiration date, unless a violation is pending, the offender shall be discharged at minimum expiration date.

G. Violation Procedures

1. Violation Procedures for an Inmate
 - a. If an inmate on Women's Medical Release fails to comply with the conditions of release required in KRS 439.3110(1)(b), the inmate shall be returned to custody to serve the remainder of her sentence as well as any subsequent sentence incurred.
 - b. Upon notification that an inmate is noncompliant with Women's Medical Release conditions:
 - (1) Documentation of the violation shall be entered in the offender management system.

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- (2) The Commissioner's Office or designee shall be notified and shall proceed with issuing a warrant. Once the warrant is issued, designated staff in Central Office shall enter the inmate's name and identifying data into NCIC and LINK with a nationwide pick-up radius with no bond amount set.
- (3) Upon notification of a new arrest, a detainer shall be filed with the agency where the inmate is lodged.
- (4) If arrested out of state, the inmate shall be subject to extradition back to Kentucky for service of sentence.
- (5) Upon service of the warrant, the inmate shall be returned to custody to resume service of the inmate's sentence.
- (6) Offender Information Services shall review the sentence calculations. The Classification Branch shall conduct a classification review in accordance with CPP 18.1.

2. Violation Procedures for an Offender on Post Release Supervision


- a. If an offender on post release supervision fails to comply with the conditions of Women's Medical Release required in KRS 439.3110(1)(b), the offender shall be returned to her previous supervision status.
- b. Documentation of the violation shall be entered in the offender management system.
- c. The violation which resulted in the removal from Women's Medical Release shall not be considered a violation of supervision conditions and cannot be used in violation proceedings against the offender.
- d. Minor violations shall be handled according to CPP 27-15-03.
- e. Violation Procedures for an offender under Women's Medical Release:
 - (1) Upon notice of failure to comply with Women's Medical Release conditions, the Officer shall provide notification to the offender of the violations with instructions to report immediately to the Probation and Parole Office for further instructions. If the offender is in custody, they shall be instructed to report immediately upon release.

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- (2) The offender management system shall be updated to reflect the offender's return to the previous supervision status.
- (3) Future violations of supervision shall be handled in accordance with CPP 27-15-03.

f. Specific Violations

- (1) Subsection II (G)(2)(c) notwithstanding, the Officer shall obtain a Commissioner's warrant following the procedure outlined in Subsection II (G)(1)(b), if an offender on post release supervision fails to comply with the conditions of Women's Medical Release by the following:
 - (a) The offender fails to respond to the Officer's instruction issued under Subsection II (G)(2)(e)(1);
 - (b) The offender is considered high risk due to illegal substance use while pregnant;
 - (c) The offender absconds and is unavailable for supervision; or
 - (d) The violation results from an arrest or charge which threatens public safety.
- (2) The issuance of a warrant for noncompliance with the conditions of Women's Medical Release shall terminate Women's Medical Release.
- (3) Following arrest, the offender shall be returned to the previous supervision status with the supervision type updated in the offender management system. The offender shall re-sign conditions of supervision.

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I. DEFINITIONS

“Director of Population Management” means the supervisor who approves an inmate for placement in jails and in halfway house facilities throughout the state.

"Deferment" means a Parole Board action in which the final decision concerning parole for an inmate is delayed for a certain number of months.

"Escape" is defined in KRS 520.010(5).

"Jail" means a jail as defined by KRS 441.005(1) or a regional jail as defined by KRS 441.005(7), but shall not include juvenile facilities for this policy.

"Meritorious good time" means a sentence credit that may be awarded at the discretion of the Commissioner or his designee not to exceed seven (7) days per month pursuant to KRS 197.045(1)(b)(2).

"Parolee" means a person who has been released from a correctional facility to parole.

"Probationer" means a person convicted but not yet imprisoned, on the conditions of continued good behavior and regular reporting to a probation officer.

“Reentry center” means a reentry center as defined by KRS 441.005(9).

"Reintegration" means the process of preparing both community and offender for his return as a productive and accepted citizen.

“Relative” is defined in KRS 439.580(5).

“Statutory good time” means a sentence credit that may be awarded pursuant to KRS 197.045(1)(b)(1).

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II. POLICY and PROCEDURES

The Kentucky Department of Corrections shall administer the reentry center program for the purpose of diverting offenders from an institution or jail and reintegrating them into society. An individual in the program shall be serving a felony sentence in an institution or jail.

A. Reentry Center Requirements

A jail may operate a reentry center, with the approval of the Department of Corrections.

Pursuant to KRS 441.146(1), a reentry center shall:

1. Employ a program coordinator responsible for oversight of the reentry center;
2. Offer residents at least one (1) vocational training program approved by the Department of Corrections;
3. Offer residents at least two (2) other evidence-based programs approved by the Department of Corrections;
4. Review each participant's case with a certified alcohol and drug counselor as defined in KRS 309.080(2);
5. Require residents to participate in family outreach and community involvement programs;
6. Require residents to seek or maintain employment in the community. The reentry center:
 - a. shall require ten percent (10%) of the resident's income to be deposited into a savings account;
 - b. shall require fifteen percent (15%) of the resident's income to be directed to payment of restitution if applicable; and
 - c. may charge each resident a fee of not more than twenty percent (20%) of the resident's income; and
7. Report data as required by the Department of Corrections in order to allow evaluation of the effectiveness of the reentry center.

- B. An inmate meeting the following criteria may be recommended for transfer to a reentry center. An inmate shall:

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1. Have less than twelve (12) months until the expected expiration of his or her sentence;
2. Be a Class D or D Extended inmate with minimum or community custody or a Class C inmate with community custody;
3. Be a Class B felon with minimum or community custody;
4. Not have a documented behavior that equates to a CPP 15.2 Category III-11 or Category IV or higher rule violation or a criminal conviction within the last sixty (60) days.
5. Be physically and psychologically capable of functioning in the reentry center without ongoing professional intervention.

C. Parolee and Probationer Placements

1. Parolees selected for placement in a reentry center program as a graduated sanction shall be approved by a supervisor. Placement in a reentry center program shall be assigned by the Community Placement Office. Parolees participating in a reentry center program shall be allowed a maximum stay of twelve (12) months in a reentry center facility.
2. A probationer, as part of an alternative sentence, shall be placed in a reentry center in accordance with the terms outlined in the court order.

D. County Inmate Placements

The jailer may establish criteria for the placement of county inmates currently housed in the local jail if bed space is available.

E. Placement Priorities

1. Each offender's eligibility and needs assessment shall dictate the appropriateness of a reentry center placement as a graduated sanction or reintegration mode of case management.
2. Priority shall be given to:
 - a. Qualified state inmate
 - b. Qualified parolee
 - c. Qualified probationer

F. Reentry Center Transfer Process

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1. An inmate transferred to a center shall be coordinated by the Classification Branch.
2. If an inmate is transferred to a reentry center, the medical record shall be sent to the receiving reentry center.
3. An inmate transferred to a reentry center shall bring all personal belongings with him.
4. The offender record shall be maintained in the offender management system by Offender Information Services staff. If transferred, the money in the inmate's account shall be sent to the appropriate personnel at the reentry center for deposit in an account for the inmate at the reentry center.

G. Transfers from Reentry Centers

1. An inmate in the reentry center may be transferred back to an institution or jail. The reason for a transfer may include a medical problem, disciplinary problem, protective custody need, and parole deferment. In all cases, a transfer shall require approval by the Director of Population Management.
2. If transfer is required, the Reentry Center Coordinator or designee shall notify Population Management staff.

H. Annual Inmate Photographs

A new photograph shall be taken annually of each state inmate in a reentry center. The updated photograph shall be obtained on the anniversary date of the inmate's conviction. The photograph shall be immediately placed in the offender management system by reentry center staff.

I. Transportation from Jail Reentry Centers

An inmate in the reentry center shall be transported by reentry center personnel as the need arises. This may include Parole Board hearings, shock probation hearings, and transfers back to an institution or jail.

J. Disciplinary Problems

1. A reentry center inmate shall be subject to the rules of conduct particular to each reentry center in addition to the Department of Corrections policies and procedures. Reentry center sanctions shall be used for internal control; however, an offense which may result in segregation and statutory loss of good time shall be documented and the inmate transferred back to an institution or jail. A reentry center occurrence report describing the nature

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of the occurrence and a summary of the investigation shall be uploaded into the offender management system by reentry center staff. A disciplinary transfer shall require approval by the Director of Population Management or designee.

2. The reentry center occurrence report shall include:
 - a. The date and time of the incident;
 - b. A listing of the personnel involved;
 - c. A detailed summary of the nature of the occurrence described by the person who witnessed the incident including the reentry center staff or work supervisor;
 - d. Any necessary documentation attached to the report.

K. Reentry Center Release Procedures

Proper care shall be given towards the handling of the legal release of an inmate in the reentry center program.

1. Court Order Shock Probation
 - a. Application: The reentry center staff shall facilitate contact with the local Public Advocate's Office concerning an application for court ordered shock probation, legal problems, and questions the reentry center inmate may have.
 - b. Transportation: The reentry center staff shall provide transportation for a verified court order to produce the inmate for a shock probation hearing. Prior to the hearing, the reentry center staff shall review available information to ascertain whether the inmate is serving a sentence from another court or has a detainer.
 - c. Release: If an order to release an inmate is received through the mail, fax, or any other method, it shall be forwarded to Central Office Offender Information Services for review. The Circuit Court Clerk's office shall be contacted by Central Office Offender Information Services to verify the order upon advisement that shock probation has been granted. Upon authorization that the inmate may be released per the court order, Central Office Offender Information Services shall notify the Reentry Center Operator and Probation and Parole Officer as well as forward a Notice of Discharge and advise of any detainers that may be present. A copy shall be taken to the Reentry Center Operator by the Probation & Parole Officer and the

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inmate advised of any stipulations concerning the probation. If the Probation and Parole Officer is unable to be present at the center, a telephone call may be made to the center operator advising him to release the particular inmate.

2. Parole Release

- a. Every effort shall be made by the Probation and Parole Officer to assist the inmate in seeking employment and home placement.
- b. An inmate recommended for parole shall be released on parole pursuant to procedures outlined in CPP 28-03-02 (Release on Parole). Once the parole papers are received, the Probation and Parole Officer shall instruct the parolee to sign the certificate and issue the original copy to the parolee. The signed parole certificate and notice of discharge shall be documented in the offender management system.

3. Expiration Release

For a release upon expiration of sentence, Central Office Offender Information Services shall authorize an inmate's release by forwarding a notice of discharge to the Reentry Center operator and Probation and Parole. Notice of the inmate's release shall be made by Offender Information Services pursuant to KRS 197.170.

L. Escape

An inmate who does not return from furlough or who escapes from a reentry center shall be prosecuted for escape. The following procedures shall be followed to ensure the apprehension of the escapee in a timely and well organized manner.

1. Responsibility of the Jailer, Jail Administrator, or designee

- a. Within one (1) hour of the escape, the Jailer, Jail Administrator, or designee shall provide notification to:
 - (1) Division of Reentry staff
 - (2) Victim Information Notification System (VINE)
 - (3) Local law enforcement and state police; and
- b. Prepare an extraordinary occurrence report within twenty-four (24) hours and submit it to the Division of Reentry designee and enter documentation in the offender management system.

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2. Responsibilities of the Division of Reentry designee

- a. Upon notification of details of escape, submit all information regarding the escape to Adult Institutions to be distributed to the proper authorities.
- b. Immediately provide notice to Central Office Local Facilities staff for warrant entry into the National Crime Information Center (NCIC).
- c. If an inmate is released erroneously from a reentry center prior to the service of his sentence, the Division of Reentry designee shall secure a warrant for escape as provided in KRS 440.010(1) from the designated Local Facilities staff.
- d. If the escapee has relatives in other states or it is known that the escapee is heading to another state, assistance in apprehending the escapee may be obtained through the United States Attorney or local law enforcement. A request for assistance may include a copy of the escape flyer and other pertinent information such as relatives, addresses, city, and state.
- e. A notice of discharge showing that the inmate was discharged by escape shall be prepared by Offender Information Services and uploaded to the offender management system. Notice of the inmate's release shall be made pursuant to KRS 197.170.

M. Apprehension of Escapee

1. Once the escapee is apprehended, the Division of Reentry designee shall be notified. Additionally, the escapee's name shall be removed from NCIC and VINE.
2. If the probation and parole officer is successful in apprehending an escapee, the escapee shall be returned directly to a designated secure institution.
3. If the escapee is apprehended by a local official on the county's escape warrant, the escapee shall be lodged in the local jail. The Probation and Parole Officer shall immediately lodge a detainer and request a copy of the warrant. Upon receipt of the warrant, the detainer shall be removed and the warrant lodged as the detainer. Additionally, the date the detainer is withdrawn shall be marked on the detainer stub.

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4. Upon apprehension, the Warrants & Extradition Office shall provide escape apprehension notification to Adult Institutions, Offender Information Services, Classification, and Reentry.
5. Upon notification, Classification shall reclassify the offender to a designated secure local facility or direct transfer of the inmate to an appropriate secure institution if statutorily ineligible for housing in a local facility as the inmate's classification allows. The offender shall be transported by Reentry Center staff. If local charges are incurred with apprehensions, the offender may be transferred to an institution with a detainer filed.
6. If the escapee is apprehended out of state, the Warrants & Extradition Office, in conjunction with the Division of Reentry designee, shall coordinate and schedule return arrangements. The escapee shall sign a waiver of extradition before arrangements may be completed for return or else an extradition proceeding shall be made through the Governor.
7. If the escapee is apprehended, the Division of Reentry designee shall have the warden's warrant returned and placed in the inmate file.
8. Upon notification that an escapee has been apprehended, the Division of Reentry designee, through Adult Institutions, shall notify the proper authorities, including Classification, Adult Institutions, Administrative Services, and Offender Information Services.
9. All documentation regarding the offender's apprehension shall be uploaded in the offender management system.

N. Medical Needs of Reentry Center Inmates

1. An inmate classified to a reentry center shall be capable of functioning without significant ongoing professional intervention for physical or psychological problems. If the need for ongoing intervention develops, the inmate may be returned to an appropriate institution or jail.
2. The day-to-day minor medical needs shall be handled by the reentry center operator in the same fashion as his general population.
3. An immediate need shall be taken care of by the center with notification to the Division of Reentry designee.
4. In most cases, medical needs may be handled by the available local health services. The Division of Reentry designee shall work closely with the Department's Medical Services and provide direction concerning requests

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for medical care which are not of an immediate nature and cases in which local medical personnel recommend hospitalization.

5. Bills for hospital admission shall be sent to the Department of Correction's administrative billing services and the Department's contracted medical services provider.
6. The Department's Medical Services shall provide direction as to what action shall be taken.

O. Employment Rules

The following employment rules shall be followed at each reentry center:

1. A log shall be maintained at each reentry center documenting departure and arrival of each inmate from the center and his assigned work location;
2. One (1) supervisor or point of contact shall be assigned for each employment location;
3. An inmate shall not be allowed to visit with a friend or relative while at work;
4. The inmate shall remain in his assigned work area while at work;
5. An inmate shall not be eligible for pay from the Department of Corrections;
6. Misconduct, fighting, stealing, leaving the work site without supervision, or possession of contraband shall be reported to the Program Coordinator immediately;
7. A reentry center inmate assigned to an employment location shall sign the Work Assignment Payment Agreement, prior to an inmate being assigned to a work location; and
8. A reentry center inmate assigned to an employment location shall sign the Work Experience Code of Conduct prior to being assigned to a work location.

P. Meritorious Good Time

An inmate may be eligible for an award of meritorious good time in accordance with Corrections Policy and Procedure 15.3.

Q. Reentry Center Monthly Report

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The Reentry Center shall prepare a monthly report to be sent to the Division of Reentry designee.

R. Division of Reentry Responsibilities

The Division of Reentry shall coordinate and monitor the reentry center program to insure compliance with Department of Corrections Policies and Procedures, contractual requirements, and rules pertaining to the reentry center program. The Reentry Division shall:

1. Assist the reentry center in obtaining vocational, educational, and other evidence-based programs that benefit the reentry center inmate;
2. Make recommendations to the Jailer, Program Coordinator or designee as to the appropriate work assignments for the inmate;
3. Meet a minimum of once per month with the Jailer, Program Coordinator, or designee regarding the reentry center program;
4. Check the jail log monthly to determine the arrival and departure of the inmate on work assignment, furlough, or other approved release;
5. Coordinate annual training of work supervisors and training for new supervisors prior to being assigned inmates;
6. Check to insure that the work supervisor has signed and understands the work supervision rules;
7. Check to insure that the reentry center inmates have signed and understand the work code of conduct;
8. Review monthly reentry center reports;
9. Forward written reports Commissioner or designee of violations regarding compliance with contractual agreements and rules for the reentry center program;
10. Provide notification to the Classification Branch if an inmate is removed from the reentry center on violations and returned to custody; and
11. Perform other related duties as assigned.

S. Responsibilities of the Jailer or Program Coordinator

The Jailer or Program Coordinator to ensure public safety shall provide adequate supervision and close monitoring of the reentry center inmates. In order for the

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program to be successful in the local community and statewide, the following minimum requirements shall be met by the Jailer or Program Coordinator. The Jailer or Program Coordinator or designee shall:

1. Provide the inmate with a copy of the rules regarding the reentry center program;
2. Consult with the Reentry Division designee concerning the inmate job assignment and advise the Reentry Division designee of a change in the work assignment;
3. Visit each work site a minimum of once each month to ensure proper work supervision and document the visit in a log;
4. Meet with the work supervisor biannually to review work assignments, disciplinary problems, and supervision requirements;
5. Work to minimize contact between a reentry center inmate and the general public except on a work detail or approved supervised recreational activity;
6. Coordinate and schedule contact visitation, work details, use of exercise, and multi-purpose areas; and
7. Ensure that the reentry center inmate is properly supervised by trained staff if outside the security of the reentry center for a purpose other than a normal work assignment. An adequate staff to inmate ratio shall be maintained to ensure proper supervision based on the security needs. Outside activities shall be approved by the Reentry Division designee.



Andy Beshear
GOVERNOR

JUSTICE AND PUBLIC SAFETY CABINET

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Keith L. Jackson
SECRETARY

October 14, 2024

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill
Administrative Regulation Review Subcommittee
Legislative Research Commission
083, Capitol Annex
Frankfort KY 40601

Re: 501 KAR 6:300. News media;
501 KAR 6:310. Monitoring and operation of private prisons;
501 KAR 6:320. Corrections policies and procedures: inmate funds;
501 KAR 6:340. Corrections policies and procedures: research and information;
501 KAR 6:360. Corrections policies and procedures: safety and critical incident notification;
501 KAR 6:370. Corrections policies and procedures: security and control;
501 KAR 6:380. Corrections policies and procedures: special management and restrictive housing inmates, safekeepers, and contract prisoners;
501 KAR 6:390. Corrections policies and procedures: inmate diet;
501 KAR 6:400. Corrections policies and procedures: inmate health care;
501 KAR 6:420. Corrections policies and procedures: inmate rules and discipline.
501 KAR 6:430. Corrections policies and procedures: communication, mail, and visiting.
501 KAR 6:440. Corrections policies and procedures: inmate reception, orientation, and personal property.
501 KAR 6:450. Corrections policies and procedures: classification.
501 KAR 6:460. Corrections policies and procedures: inmate work programs.
501 KAR 6:470. Corrections policies and procedures: inmate education and training.
501 KAR 6:490. Corrections policies and procedures: inmate recreation and activities.
501 KAR 6:500. Religious programs.

501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release.

501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs.

501 KAR 6:530. Corrections policies and procedures: programs and sentence credits.

Dear Co-Chairs West and Lewis:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 501 KAR 6:300. News media; 501 KAR 6:310. Monitoring and operation of private prisons; 501 KAR 6:320. Corrections policies and procedures: inmate funds; 501 KAR 6:340. Corrections policies and procedures: research and information; 501 KAR 6:360. Corrections policies and procedures: safety and critical incident notification; 501 KAR 6:370. Corrections policies and procedures: security and control; 501 KAR 6:380. Corrections policies and procedures: special management and restrictive housing inmates, safekeepers, and contract prisoners; 501 KAR 6:390. Corrections policies and procedures: inmate diet; 501 KAR 6:400. Corrections policies and procedures: inmate health care; 501 KAR 6:420. Corrections policies and procedures: inmate rules and discipline; 501 KAR 6:430. Corrections policies and procedures: communication, mail, and visiting; 501 KAR 6:440. Corrections policies and procedures: inmate reception, orientation, and personal property; 501 KAR 6:450. Corrections policies and procedures: classification; 501 KAR 6:460. Corrections policies and procedures: inmate work programs; 501 KAR 6:470. Corrections policies and procedures: inmate education and training; 501 KAR 6:490. Corrections policies and procedures: inmate recreation and activities; 501 KAR 6:500. Religious programs; 501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release; 501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs; and 501 KAR 6:530. Corrections policies and procedures: programs and sentence credits, the Justice and Public Safety Cabinet proposes the attached substitutes to 501 KAR 6:300. News media; 501 KAR 6:310. Monitoring and operation of private prisons; 501 KAR 6:320. Corrections policies and procedures: inmate funds; 501 KAR 6:340. Corrections policies and procedures: research and information; 501 KAR 6:360. Corrections policies and procedures: safety and critical incident notification; 501 KAR 6:370. Corrections policies and procedures: security and control; 501 KAR 6:380. Corrections policies and procedures: special management and restrictive housing inmates, safekeepers, and contract prisoners; 501 KAR 6:390. Corrections policies and procedures: inmate diet; 501 KAR 6:400. Corrections policies and procedures: inmate health care; 501 KAR 6:420. Corrections policies and procedures: inmate rules and discipline; 501 KAR 6:430. Corrections policies and procedures: communication, mail, and visiting; 501 KAR 6:440. Corrections policies and procedures: inmate reception, orientation, and personal property; 501 KAR 6:450. Corrections policies and procedures: classification; 501 KAR 6:460. Corrections policies and procedures: inmate work programs; 501 KAR 6:470. Corrections policies and procedures: inmate education and training; 501 KAR 6:490. Corrections policies and procedures: inmate recreation and

activities; 501 KAR 6:500. Religious programs; 501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release; 501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs; and 501 KAR 6:530. Corrections policies and procedures: programs and sentence credits.

Sincerely,



Nathan Goens, Attorney
Justice and Public Safety Cabinet
125 Holmes Street, 2nd Floor
Frankfort, Kentucky 40601

enclosure

SUGGESTED SUBSTITUTE

**JUSTICE AND PUBLIC SAFETY CABINET
Department of Corrections**

501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs.

RELATES TO: KRS Chapters 196, 197

STATUTORY AUTHORITY: KRS 196.035, 197.020, 197.110, 439.590, 439.640

NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.035 authorizes the secretary to promulgate administrative regulations deemed necessary or suitable for the proper administration of the functions of the cabinet or any division in the cabinet. KRS 197.020(1)(a) and (b) require the Department of Corrections to promulgate administrative regulations for the government and discipline of the penitentiary, government and official conduct of all officials connected with the penitentiary, government of the prisoners in their deportment and conduct, and preservation of the health of the prisoners. KRS 197.110 authorizes the department to promulgate administrative regulations for purposes as the department deems necessary and proper for carrying out the intent of KRS Chapter 197. KRS 439.640 requires the commissioner to recommend administrative regulations to implement the provisions of the vocational training program. This administrative regulation establishes the procedures concerning citizen involvement, volunteer, and reentry mentor service programs for the Department of Corrections.

Section 1. Definitions.

- (1) "Certified volunteer" means an individual not employed by the Department of Corrections (DOC) who provides specified services to the inmate population on an on-going basis and has met the certification requirements.
- (2) "DOC" means Department of Corrections.
- (3) "Non-certified volunteer" means an individual not employed by the DOC who provides specified services to the inmate population and has not met the certification requirements.
- (4) "Reentry mentor" means a volunteer who is affiliated with a community- or faith-based organization, which has collaborated with the Division of Reentry Services, to assist offenders in transitioning into the community from incarceration or on supervision under the Division of Probation and Parole.
- (5) "Reentry Mentor Coordinator" means a person within the Division of Reentry Services who is designated by the director to facilitate reentry mentor activities.
- (6) "Special event volunteer" means an individual or member of a group not employed by the DOC who is involved in a selected activity that does not occur on a regular basis.
- (7) "Student volunteer" means a student enrolled in a college or university who gains unpaid work experience that may enhance their skills and abilities and encourage a career with the DOC.
- (8) "Volunteer coordinator" means the person at an institution who is designated by the warden to facilitate volunteer activities.
- (9) "Volunteer services" means any specified service made available to the inmate population that involves contact or interactions with an approved volunteer providing a specified service.

Section 2. Volunteer Programs.

- (1) A volunteer program shall have a stated purpose.
- (2) Each correctional institution shall have a volunteer coordinator designated by the warden. The volunteer coordinator shall be responsible for recruiting volunteers and coordinating training and assignment of volunteers.
- (3) Inmates at an institution shall be notified of the programs and opportunities available at the correctional institution through posted information, announcements, or other notification methods designed to reach the inmate population or eligible inmates.

Section 3. Volunteer Standards of Conduct.

- (1) A volunteer shall not use employee time, facilities, equipment, or supplies of the Commonwealth for private purposes.
- (2) The use of intoxicants shall not be tolerated.
- (3) A volunteer shall not exchange a gift or favor with an inmate or family member of an inmate without approval of the warden or designee.
- (4) A volunteer shall not become romantically involved with an inmate.
- (5) A volunteer shall maintain confidentiality of records and inmate information.
- (6) A volunteer may exchange information with an inmate consistent with the mission of the volunteer program.

Section 4. Volunteer Application Process.

- (1) An individual may apply to become a volunteer for the DOC at any DOC correctional institution.
- (2) Information about applying to be a volunteer may be obtained from the volunteer coordinator at the correctional institution. Institutional contact information may be located on the DOC Web site in the area for adult institutions.
- (3) An applicant shall notify the volunteer coordinator of any criminal record and provide necessary information and authorization to obtain a background check. A criminal record shall be considered but may not necessarily preclude an individual from becoming a volunteer.
- (4) The applicant may be interviewed.
- (5) The applicant may be asked to submit to a drug test.
- (6) The applicant shall be notified in writing if the applicant is accepted or rejected as a volunteer.
- (7) The application of a volunteer shall be reviewed by the warden or designee before an applicant is rejected as a volunteer.
- (8) The applicant accepted to be a volunteer shall agree to abide by the volunteer standards of conduct and all institutional policies, particularly those relating to the security and confidentiality of information and records by signing the Volunteer Confidentiality and Conduct Agreement incorporated by reference in this administrative regulation.

Section 5. Certified Volunteer.

- (1) An applicant to be a certified volunteer shall:
 - (a) Be at least eighteen (18) years of age; and
 - (b) Provide all requested information when making an application to become a volunteer.
- (2) A certified volunteer shall be eligible to provide services to all institutions.
- (3) Certified volunteer orientation and training.
 - (a) The volunteer shall receive an orientation to the institution, including a tour with emphasis on the area in which the volunteer will work. A volunteer working in multiple institutions shall receive an orientation and tour of each institution.
 - (b) The volunteer shall complete the training program developed by the Division of Corrections Training.
 - (c) The volunteer shall complete annual training as required by the Division of Corrections Training. Failure to complete annual training shall result in the volunteer being removed from the volunteer list.
- (4) Certified volunteer registration and identification.
 - (a) Upon completion of orientation and training, the certified volunteer shall be assigned an identification card. This identification card shall be maintained at all institutions where the person volunteers.
 - (b) Upon entering an institution to volunteer, the certified volunteer shall present a picture ID and receive his institutional volunteer ID. The personal picture ID shall be returned to the volunteer upon surrender of the institutional volunteer ID as the volunteer exits the institution.
 - (c) The identification information maintained on the volunteer shall include photograph, address, current telephone number, and emergency contacts. It may include other relevant information.
- (5) A certified volunteer shall submit a schedule to the volunteer coordinator.

Section 6. Non-certified and Special Event Volunteers.

- (1) A non-certified or special event volunteer shall not be required to be eighteen (18) years old or complete the training required to be a certified volunteer.
- (2) A non-certified or special event volunteer shall always be accompanied by a DOC staff member or a certified volunteer. The accompanying certified volunteer shall not be a student volunteer.
- (3) A non-certified or special event volunteer shall be admitted to the institution in accordance with the institutional policy for visitors incorporated by reference in the administrative regulation for the applicable correctional institution in 501 KAR Chapter 6.

Section 7. Student Volunteer.

- (1) A student enrolled in a college or university shall be eligible to apply to be a student volunteer.
- (2) A student volunteer shall not receive compensation for the student volunteer's services.
- (3) A student volunteer may earn academic credit for the student volunteer's service, if accepted by the student's college or university.
- (4) Information about applying to be a student volunteer may be obtained from the Justice and Public Safety Cabinet Office of Human Resource Management.
- (5) An applicant shall notify the Office of Human Resource Management of any criminal record and provide necessary information and authorization to obtain a background check. A criminal record shall be considered but may not necessarily preclude an individual from becoming a volunteer.
- (6) The applicant may be interviewed.
- (7) The applicant may be asked to submit to a drug test.
- (8) A student volunteer shall always be accompanied by a DOC staff member or a certified volunteer. The accompanying certified volunteer shall not be a student volunteer.

Section 8. Volunteer Review and Termination.

- (1) A volunteer program shall be reviewed annually by the volunteer coordinator to ensure that the program is meeting stated goals and continuing to enhance services provided to the inmate population.
- (2) A volunteer shall be reviewed annually to evaluate the volunteer's participation in the volunteer program. A volunteer may be terminated for inadequate participation, security issues, or other relevant issues.
- (3) Any volunteer or program deemed to threaten the security of the institution shall be discontinued or limited until the problem is resolved.

Section 9. Reentry Mentor Program.

- (1) The Division of Reentry Services shall maintain a list of mentors and the mentor's affiliated organization.
- (2) The director of the Division of Reentry Services shall designate a reentry mentor coordinator. The reentry mentor coordinator shall be responsible for recruiting reentry mentors and coordinating training and assignment of reentry mentors.
- (3) Inmates shall be notified of the mentor services available through posted information, announcements, or other notification methods designed to reach the inmate population or eligible inmates.
- (4) The Division of Reentry Services shall review and evaluate reentry-related and mentoring programs annually.

Section 10. Reentry Mentor.

- (1) An applicant to be a reentry mentor shall:
 - (a) Be affiliated with a DOC recognized community or faith-based partner organization and have a recommendation from the leadership of that organization;
 - (b) Be a certified volunteer; and
 - (c) Be at least twenty-one (21) years of age.
- (2) The applicant shall be notified in writing if the applicant is accepted or rejected as a reentry mentor.

(3) The application of a reentry mentor shall be reviewed by the director of the Division of Reentry Services or designee before an applicant is rejected as a reentry mentor. The Director of the Division of Reentry Services or designee shall review the application and the reasons for the rejection and make a final determination.

Section 11. Mentor Orientation and Training.

- (1) The reentry mentor shall complete a training program developed by the Division of Corrections Training and Division of Reentry Services.
- (2) The reentry mentor shall agree in writing to abide by the mentor standards of conduct and all DOC and institutional policies by signing the Mentor Confidentiality and Conduct Agreement incorporated by reference in this administrative regulation.
- (3) A reentry mentor shall complete annual training and other training as required by the Division of Reentry Services. Failure to complete annual training shall result in the reentry mentor being removed from the approved reentry mentor list.

Section 12. Reentry Mentor Standards of Conduct.

- (1) A reentry mentor shall not use DOC employee time, facilities, equipment, or supplies for private purposes.
- (2) The use of intoxicants shall not be tolerated.
- (3) A reentry mentor shall not become romantically involved with an inmate or an individual under supervision within the DOC.
- (4) A reentry mentor may make electronic contact by telephone or email with an assigned mentee within reason (as outlined by the Reentry Mentor Coordinator) for reentry planning purposes.
- (5) A reentry mentor shall be of the same gender as the assigned mentee.

Section 13. Reentry Mentor Review and Termination.

- (1) A reentry mentor shall be reviewed annually to evaluate the reentry mentor's participation in the reentry mentor program. A reentry mentor may be terminated for inadequate participation, security issues, or other relevant issues.
- (2) Any reentry mentor deemed to threaten the security of the institution shall be discontinued or limited by the warden or designee until the issue is resolved.

Section 14. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "Volunteer Confidentiality and Conduct Agreement", 2024[, ~~1 page~~]; and
 - (b) "Mentor Confidentiality and Conduct Agreement", 2024[, ~~1 page~~].
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Justice and Public Safety Cabinet, Office of Legal Services, 125 Holmes Street, 2nd Floor, Frankfort, Kentucky 40601, phone (502) 564-3279, fax (502) 564-6686, Monday through Friday, 8 a.m. to 4:30 p.m. This material may be obtained from the Department of Corrections Web site in the policies and procedures area at <https://corrections.ky.gov/About/cpp/Pages/default.aspx> or the regulation filing area at <https://corrections.ky.gov/about/pages/lrcfilings.aspx>.



501 KAR 6:530
MIR Attached

Andy Beshear
GOVERNOR

JUSTICE AND PUBLIC SAFETY CABINET

Keith L. Jackson
SECRETARY

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Frankfort, Kentucky 40601
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October 14, 2024

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill
Administrative Regulation Review Subcommittee
Legislative Research Commission
083, Capitol Annex
Frankfort KY 40601

Re: 501 KAR 6:300. News media;
501 KAR 6:310. Monitoring and operation of private prisons;
501 KAR 6:320. Corrections policies and procedures: inmate funds;
501 KAR 6:340. Corrections policies and procedures: research and information;
501 KAR 6:360. Corrections policies and procedures: safety and critical incident notification;
501 KAR 6:370. Corrections policies and procedures: security and control;
501 KAR 6:380. Corrections policies and procedures: special management and restrictive housing inmates, safekeepers, and contract prisoners;
501 KAR 6:390. Corrections policies and procedures: inmate diet;
501 KAR 6:400. Corrections policies and procedures: inmate health care;
501 KAR 6:420. Corrections policies and procedures: inmate rules and discipline.
501 KAR 6:430. Corrections policies and procedures: communication, mail, and visiting.
501 KAR 6:440. Corrections policies and procedures: inmate reception, orientation, and personal property.
501 KAR 6:450. Corrections policies and procedures: classification.
501 KAR 6:460. Corrections policies and procedures: inmate work programs.
501 KAR 6:470. Corrections policies and procedures: inmate education and training.
501 KAR 6:490. Corrections policies and procedures: inmate recreation and activities.
501 KAR 6:500. Religious programs.

501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release.

501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs.

501 KAR 6:530. Corrections policies and procedures: programs and sentence credits.

Dear Co-Chairs West and Lewis:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 501 KAR 6:300. News media; 501 KAR 6:310. Monitoring and operation of private prisons; 501 KAR 6:320. Corrections policies and procedures: inmate funds; 501 KAR 6:340. Corrections policies and procedures: research and information; 501 KAR 6:360. Corrections policies and procedures: safety and critical incident notification; 501 KAR 6:370. Corrections policies and procedures: security and control; 501 KAR 6:380. Corrections policies and procedures: special management and restrictive housing inmates, safekeepers, and contract prisoners; 501 KAR 6:390. Corrections policies and procedures: inmate diet; 501 KAR 6:400. Corrections policies and procedures: inmate health care; 501 KAR 6:420. Corrections policies and procedures: inmate rules and discipline; 501 KAR 6:430. Corrections policies and procedures: communication, mail, and visiting; 501 KAR 6:440. Corrections policies and procedures: inmate reception, orientation, and personal property; 501 KAR 6:450. Corrections policies and procedures: classification; 501 KAR 6:460. Corrections policies and procedures: inmate work programs; 501 KAR 6:470. Corrections policies and procedures: inmate education and training; 501 KAR 6:490. Corrections policies and procedures: inmate recreation and activities; 501 KAR 6:500. Religious programs; 501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release; 501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs; and 501 KAR 6:530. Corrections policies and procedures: programs and sentence credits, the Justice and Public Safety Cabinet proposes the attached substitutes to 501 KAR 6:300. News media; 501 KAR 6:310. Monitoring and operation of private prisons; 501 KAR 6:320. Corrections policies and procedures: inmate funds; 501 KAR 6:340. Corrections policies and procedures: research and information; 501 KAR 6:360. Corrections policies and procedures: safety and critical incident notification; 501 KAR 6:370. Corrections policies and procedures: security and control; 501 KAR 6:380. Corrections policies and procedures: special management and restrictive housing inmates, safekeepers, and contract prisoners; 501 KAR 6:390. Corrections policies and procedures: inmate diet; 501 KAR 6:400. Corrections policies and procedures: inmate health care; 501 KAR 6:420. Corrections policies and procedures: inmate rules and discipline; 501 KAR 6:430. Corrections policies and procedures: communication, mail, and visiting; 501 KAR 6:440. Corrections policies and procedures: inmate reception, orientation, and personal property; 501 KAR 6:450. Corrections policies and procedures: classification; 501 KAR 6:460. Corrections policies and procedures: inmate work programs; 501 KAR 6:470. Corrections policies and procedures: inmate education and training; 501 KAR 6:490. Corrections policies and procedures: inmate recreation and

activities; 501 KAR 6:500. Religious programs; 501 KAR 6:510. Corrections policies and procedures: release preparation and temporary release; 501 KAR 6:520. Citizen involvement, volunteer, and reentry mentor service programs; and 501 KAR 6:530. Corrections policies and procedures: programs and sentence credits.

Sincerely,



Nathan Goens, Attorney
Justice and Public Safety Cabinet
125 Holmes Street, 2nd Floor
Frankfort, Kentucky 40601

enclosure

SUGGESTED SUBSTITUTE

**JUSTICE AND PUBLIC SAFETY CABINET
Department of Corrections**

501 KAR 6:530. Corrections policies and procedures: programs and sentence credits.

RELATES TO: KRS Chapters 196, 197, 197.400 - 197.440, Chapter 439

STATUTORY AUTHORITY: KRS 196.035, 196.111, 197.020, 197.110, 439.3101, 439.640


NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.035 authorizes the secretary to promulgate administrative regulations deemed necessary or suitable for the proper administration of the functions of the cabinet or any division in the cabinet. KRS 196.111 requires the Department of Corrections to promulgate administrative regulations for an evidence-based practices review process. KRS 197.020(1)(a) and (b) require the Department of Corrections to promulgate administrative regulations for the government and discipline of the penitentiary, government and official conduct of all officials connected with the penitentiary, government of the prisoners in their department and conduct, and preservation of the health of the prisoners. KRS 197.110 authorizes the department to promulgate administrative regulations for purposes as the department deems necessary and proper for carrying out the intent of KRS Chapter 197. KRS 439.3101 requires the department to promulgate administrative regulations that require the supervision and treatment of supervised individuals in accordance with evidence-based practices. KRS 439.640 requires the department to promulgate administrative regulations to implement the provisions of the vocational training program for inmates in the last ninety (90) days of confinement. This administrative regulation establishes policies and procedures concerning programs and sentence credits for the Department of Corrections.

Section 1. Incorporation by Reference.

(1) "Department of Corrections Policies and Procedures, Chapter 30", October 15~~September 13~~[May 15], 2024, are incorporated by reference. Department of Corrections Policies and Procedures Chapter 30 includes:

30.1	Program Approval Process, Evaluation, and Measurement (5/15/24)
30.2	Program Credit (5/15/24)
30.3	Risk and Needs Assessment and Reentry Programming Training and Quality Assurance <u>(10/15/24)</u> (5/15/24)
30.4	Probation Program Credit (5/15/24)
30.5	Sex Offender Treatment Program <u>(10/15/24)</u> (5/15/24)
30.6	Division of Addiction Services Substance Abuse Program (5/15/24)
30.7	DOC Approved Substance Abuse Program Parole Compliance Credits and Probation Program Credits (5/15/24)
30.8	Pretrial Substance Abuse Program (PSAP) <u>9/13/24</u> (5/15/24)
30.9	Supporting Others in Active Recovery (SOAR) Program (5/15/24)

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 <p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	30.3	4
	Date Filed	Effective Date
	October 15, 2024	
	Supersedes Effective Date	
<p>Authority/References</p> <p>KRS 196.030, 196.035, 197.020, 439.250, 439.265, 439.3101, 439.3104, 439.3105, 439.348, 439.480(3), 446.010, 533.030 CPP 29.2 P&P ACA 2A-01, 2A-02, 2A-03, 2A-06, 2A-07, 2A-08, 2A-11</p>	<p>Subject</p> <p style="text-align: center;">RISK AND NEEDS ASSESSMENT AND REENTRY PROGRAMMING TRAINING AND QUALITY ASSURANCE</p>	

I. DEFINITIONS

“Assessor” means an individual who performs a risk and needs assessment on an offender committed to or supervised by the department.

“Department” or “DOC” means the Kentucky Department of Corrections.

“Evidence-based practices” is defined in KRS 446.010 and 196.111(1).

“Program” means a series of instruction or meetings with a standard curriculum that:

- A. Addresses the criminogenic needs of offenders in a group or individual setting;
- B. Complies with KRS 197.045(1)(a)3;
- C. Is approved by the Department of Corrections;
- D. Has established performance measures; and
- E. Has mandatory attendance requirements.

“Program compliance” means the process of delivery/facilitation is sound and correct in adherence to the principles that established the program.

“Quality assurance” means systematic monitoring and evaluation of the various aspects of a program to ensure the standards of quality are being met.

“Reentry programming” means any program overseen by the Department of Corrections Division of Reentry Services for the express purpose of attempting to reduce recidivism by targeting criminogenic needs as identified through the administration of an approved risk and needs assessment.

“Risk” means the potential for future criminal behavior.

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“Risk and needs assessment” or “validated risk and needs assessment” is defined in KRS 446.010.

“Trained facilitator” means an individual who has successfully completed training approved or conducted by the Department of Corrections.

II. POLICY and PROCEDURES

This policy establishes procedures to govern the administration of, training for, and quality assurance for the risk and needs assessment and reentry programming under the purview of the Division of Reentry Services. This policy and procedure shall apply to all institutions, local facilities, contract facilities, the Division of Probation and Parole, and any community partner or vendor that handle risk and needs assessments, and deliver or facilitate reentry programming for the Department of Corrections.

A. Administration of the Risk and Needs Assessment

1. The risk and needs assessment shall be completed as soon as practicable after commitment for an offender. See CPP 29.1.
2. The risk and needs assessment shall be conducted with an offender’s participation if possible. If direct participation from the offender is not possible, supervisory approval shall be required and justification documented in the offender management system.
3. Collateral information shall be used for the assessment, including a review of all available criminal history sources, the offender file, official documents, and additional contacts. Sources used to obtain or verify information and any refusal to participate by the offender shall be included in the assessment report.

B. Quality Assurance for Risk and Needs Assessment

1. The department shall implement a quality assurance process.
2. Quality assurance procedures may include:
 - a. On-going technical assistance and training for staff;
 - b. Central Office audits:
 - (1) Review, correction, and assistance with implementation procedures and validation as necessary; and
 - (2) Generation of aggregate reports to identify potential problem areas;

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- c. Annual quality assurance audits; or
- d. Matters that are specifically addressed in the accreditation audit process.

3. Annual Quality Assurance Audits

- a. Each site and program delivered at the site shall have a quality assurance review completed annually for reentry programs and risk and needs assessment.
- b. Reentry Program Quality Assurance Audits

Year one site quality assurance review shall be a full annual review.

- (1) If the full annual review reveals a passing score, the year two annual quality assurance audit shall be an abbreviated audit followed by the full annual review again in year three.
- (2) If the full annual review reveals a needs improvement score, the year two annual quality assurance audit shall be a full annual review. A full annual review shall be conducted each year if a passing score is not met.
- (3) If the annual review results in a needs improvement score, a corrective action plan shall be issued to the site to gain compliance with the audit tool. Failure to adhere to the corrective action plan may result in removal of ability to facilitate reentry programming.

- c. Annual audits of programming or risk and needs assessment shall be completed by a staff member who has received training in the program or risk and needs assessment tool and successfully received certification upon completion of the training.
- d. Annual audits shall be conducted by using a uniform audit tool that has been approved by the department.
- e. A random sampling generated by the DOC shall be compiled for the purpose of conducting a full scope quality assurance audit.
- f. The results of the annual audit may be used in a DOC employee annual performance expectation and evaluation.

C. Training Requirements for Assessors

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1. An assessor and his immediate supervisor, including contract staff, administering the validated risk and needs assessment shall successfully complete training approved or provided by the department for the purpose of performing a risk and needs assessment on an offender committed to or supervised by the department.
2. Assessors shall maintain their training in accordance with department policy and procedures.

D. Administration of Reentry Programming

1. The results of an approved risk and needs assessment may be used in identifying the appropriate reentry program to target criminal risk factors identified in the assessment.
2. If a “wait-list” situation occurs for any program, priority preference for placement into a program shall be given to offenders who have been:
 - a. Ordered by their sentencing or releasing authority to complete a particular program; or
 - b. Referred to a program to target criminal risk factors identified in the approved risk and needs assessment.

E. Training Requirements for Reentry Programming

1. DOC Trained Facilitators delivering or facilitating reentry programming for the DOC shall successfully complete training approved or provided by the department. All training and certification to deliver or facilitate each program shall be administered as required by each program’s own specific training or certification procedures.
2. A DOC employee designated as a “trainer” for a reentry program shall be trained and certified as required by the program’s own specific training and certification procedures.
3. DOC Trained Facilitators shall maintain their training in accordance with department policy and procedures. Any other requirement from the originator of the program shall be maintained as required by the originator’s procedures.
4. The department shall designate a specific entity or entities to maintain and centrally store certifications for each approved facilitator.

 <p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	30.5	15
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	Supersedes Effective Date	
References/Authority KRS 17.554, 196.035, 197.020, 197.400 - 440, 439.340, 532.045 907 KAR 12:020 ACA 2-CO-4F-01	Subject SEX OFFENDER TREATMENT PROGRAM	

I. DEFINITIONS

“Adjunct staff” means an employee of the Department of Corrections who works in conjunction with the Sex Offender Treatment Program and staff.

“Case management team” means all authorities involved in the supervision and treatment of a sex offender involved in the SOTP, and may include a probation and parole officer and SSC.

“Client” means any sexual offender who has been referred to and enrolled in the SOTP.

“Eligible sex offender” is defined in KRS 197.410(2).

“HSPS” means Human Services Program Supervisor.

“Intellectual disability” is defined in 907 KAR 12:020(6).

“Non-admitter” means a sex offender who does not admit guilt or responsibility for committing the sexual offense.

"Sex offender" is defined in KRS 197.410(1) and includes those offenders on conditional discharge or diversionary agreement for sex crimes.

“Sex Offender Risk Assessment Advisory Board” or "SORAAB" is defined in KRS 17.554 as a board that has approval for providers who conduct comprehensive sex offender presentence evaluation and treatment.

“Sex Offender Treatment Program” or “SOTP” means the Kentucky Department of Corrections institutional and community based specialized, sex offender therapy programs.

“Social Service Clinician” or "SSC" means any employee of the Department of Corrections so designated by personnel specifications.

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“Volunteer” means any person, at least 21 years of age, who provides a service to the Department of Corrections, in conjunction with the SOTP and staff, and does not receive a salary for performing this service.

II. POLICY and PROCEDURE - INSTITUTIONAL BASED SOTP

A. Application

1. Upon placement at a correctional intake institution, a sex offender shall be issued a memorandum regarding the SOTP and requirements set by KRS 439.340(11) and (12).
2. Referral to Program – A written referral and the memorandum in subsection 1 shall be forwarded to the SOTP Program Administrator. A referral may be submitted by the:
 - a. Classification and Treatment Officer;
 - b. Unit Administrator; or
 - c. Institutional psychologist.
3. Upon receipt of a referral to the program the Human Services Program Supervisor or designee shall:
 - a. Review the offender management system, and any paper SOTP file, to determine if the inmate has previously had an opportunity for participation in the SOTP;
 - b. Determine if the offender should receive priority placement, be placed on the waiting list, or denied acceptance; and
 - c. Generate one of the following memorandums:
 - (1) Placement on a waiting list; or
 - (2) Denial of acceptance.
4. Upon assignment to the program, staff shall:
 - a. Obtain a copy of the pre-sentence investigation (PSI); and
 - b. Complete an intake interview and document the interview in the offender management system.

B. Enrollment

1. In accordance with KRS 197.420(5), each SSC shall not maintain a caseload of more than fifty (50) participants.
2. If more than fifty (50) individuals have requested counseling and meet the

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established criteria, a waiting list shall be established. An individual may be referred to other treatment sources that have been approved by the SORAAB.

3. Priority placement shall be given to an eligible sex offender who has not received a prior opportunity for the SOTP and is within 48 months of the offender's earliest possible release date.
4. A sex offender who does not admit guilt or responsibility for the offender's sexually assaultive offense shall not be accepted in the SOTP, after the initial assessment and orientation phase.
5. A non-admitter or an applicant who has been rejected shall be allowed to reapply for admission into the program one hundred eighty (180) days after rejection. If the non-admitter reapplies for admission into the program, the offender may be accepted if the offender admits guilt or responsibility for his sexually assaultive offense.

C. Responsibility

The client shall receive written notification that:

1. Successful completion of the SOTP provides an offender with the tools to control his behavior but does not provide a cure for the offender's behavior; and
2. Upon completion of the SOTP, a report of treatment progress shall be made to the Parole Board or probation and parole officer.

D. Confidentiality

1. KRS 197.440 governs the confidentiality of communications made by a sex offender and the written notice required.
2. A planned criminal activity disclosed in evaluation or treatment of an offender shall be reported to the appropriate authorities.
3. A criminal activity disclosed to treatment staff during the course of therapy that occurred before the index offense shall not be reported to authorities if it is not ongoing and there is no identifiable victim remaining at risk and it does not meet the disclosure requirements in KRS 197.440. An effort shall be made to determine that a victim or child is not currently at risk by continued contact with the sex offender who made the disclosure of prior sexually abusive behaviors.
4. Adjunct staff and volunteers shall be subject to the same limits of

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confidentiality as outlined in KRS 197.440 and this policy.

E. Recordkeeping

1. The treatment file shall be maintained separately from an institutional file.
 - a. The treatment file shall include:
 - (1) Referral documentation;
 - (2) Intake documentation;
 - (3) Program contract;
 - (4) Any termination documentation;
 - (5) Any raw psychological data and psychological evaluations;
 - (6) Risk assessment data and evaluation;
 - (7) Copy of PSI;
 - (8) Weekly case notes;
 - (9) Any relevant releases of information;
 - (10) Any relevant Parole Board reports; and
 - (11) Any Comprehensive Sex Offender Pre-sentence Evaluation (CSOPE).
 - b. The treatment file may include:
 - (1) Any program announcement memorandum;
 - (2) Other relevant materials.
2. If a client is transferred to another institution, the treatment file shall be forwarded to the SOTP unit in the receiving institution.
3. Information shall not be released to another mental health agency without receipt of a written authorization by the client on an official release of information document.

F. Attendance

1. A client may be terminated from the program if the client has more than one (1) unexcused absence in a ninety (90) day period.
2. An authorized absence shall include:
 - a. Verified court appearance;
 - b. Verified medical appointment;
 - c. Verified sick call;
 - d. Verified classification;
 - e. Verified adjustment committee;
 - f. Work assignment - only if prior approval has been given to the client by the SSC or adjunct staff;

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- g. Attorney visit;
- h. Other visits if prior approval has been given by the SSC; or
- i. Other absence authorized by the SSC.

3. An absence shall be documented and included in the progress report.

G. Treatment Modalities

1. Upon completion of the assessment and orientation phase, a client shall complete the psychoeducational components as outlined in KRS 197.420.

2. These components and group therapy tasks shall be presented in a group therapy format unless it is clinically indicated that group therapy should not be used in a specific case:

- a. Assessment and orientation (A&O);
- b. Human sexuality;
- c. Family patterns;
- d. Social skills;
- e. Ownership – acceptance of responsibility;
- f. Autobiography;
- g. Advanced ownership – understanding the sexual assault cycle;
- h. Victim personalization;
- i. Relapse prevention; and
- j. Recommendations for:
 - (1) Individual counseling;
 - (2) Group counseling;
 - (3) Marital and family counseling; and
 - (4) Ancillary programs addressing other needs.

3. The SOTP may be completed in a minimum of eighteen (18) months. Any completions occurring in less than eighteen (18) months shall require review and approval from the Mental Health Authority.

4. The SOTP may take as long as thirty (30) months. Any completions occurring in more than thirty (30) months shall require review and approval from the Mental Health Authority.

H. Client Evaluation

Each client shall be evaluated by staff on the following criteria:

- 1. Attendance;
- 2. Participation;

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3. Attentiveness;
4. Behavior;
5. Knowledge; and
6. Demonstration of application of treatment concepts.

I. Termination

1. A client may be terminated from the SOTP for any of the following reasons:
 - a. More than one (1) unauthorized absence within a ninety (90) day period;
 - b. Conviction of a disciplinary offense committed during a sex offender program session;
 - c. Disruptive or threatening behavior during counseling sessions;
 - d. Confinement in disciplinary segregation resulting in more than one (1) absence for scheduled sessions within a ninety (90) day period;
 - e. Failure to successfully complete required psychoeducational courses;
 - f. Failure to complete any other component of the treatment plan as approved by the HSPS in subsection 2 of this section;
 - g. A violation of the terms of the treatment contracts; or
 - h. Non-admittance of guilt or responsibility for committing a sexually assaultive offense. Any non-admitter who is already in the program shall be informed in writing that he has until the end of the module in which he is currently participating to admit guilt or responsibility for committing his sexually assaultive offense. If he does not admit guilt or responsibility for his offense, he shall be terminated from the program. The non-admitter shall be allowed to apply for readmission to the program one hundred eighty (180) days from the date of termination.
2. If termination from the SOTP is indicated, the SSC shall make a recommendation of termination to the HSPS.
3. Upon receipt of termination request, the HSPS shall rule on the recommendation for termination. If the HSPS is unavailable and an immediate ruling is needed, the decision may be made by the SOTP Program Administrator.
4. The SOTP staff shall forward a written notice of termination to the client.

J. Appeals of Termination

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The client may forward a written appeal to the Department of Corrections Mental Health Authority or designee within ten (10) calendar days of receipt of the decision. The Mental Health Authority or designee shall forward a written response to the client within twenty-one (21) business days of receipt of the appeal.

K. Re-Application

If a client is not-accepted into the SOTP or terminated from the SOTP, he may reapply one hundred eighty (180) days after the non-acceptance or termination date as affixed by the SOTP Program Administrator or HSPS. This does not mean that re-admission shall be granted. The client shall maintain clear conduct for one hundred eighty (180) days to be reconsidered for admission into the institutional program.

L. Use of Adjunct Staff

1. The SOTP may use an adjunct staff member who is currently an employee of the Department of Corrections in a support role only.
2. Use of an adjunct staff member shall be subject to approval by the Mental Health Authority or designee and by the employing institution or agency.
3. A training session conducted by SOTP staff shall be made available to adjunct staff. This training shall include, at minimum, training on confidentiality requirements.
4. Adjunct staff shall receive supervision from a designated staff member on at least a monthly basis.

M. Use of Students

1. SOTP may use practicum students or other students in a volunteer role subject to the provisions of CPP 26.1.
2. A student volunteer shall abide by the rules or documents specific to the institution or agency in which the student volunteer provides services.
3. A student volunteer shall receive clinical supervision from a qualified staff member on at least a monthly basis.
4. A training session conducted by SOTP staff shall be required for each student volunteer. This training shall include, at minimum, training on confidentiality requirements.

N. Safety and Security

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Institutional staff and volunteers shall comply with the security provisions of the institution.

III. POLICY and PROCEDURE – COMMUNITY BASED SOTP

A. Application

1. Referral to Program – A written referral shall be forwarded to HSPS or the SSC. A referral may be submitted by the probation and parole officer.
2. Upon release to community supervision, the supervising probation and parole officer shall notify the sex offender that he will be referred to the community SOTP. Upon receipt of the referral, the sex offender shall be issued a memorandum informing him of his referral and the appointment date and time.
3. Upon receipt of the PSI and a referral to the program, staff shall complete an intake interview and document the interview in the offender management system.

B. Enrollment

1. In accordance with KRS 197.420(5), each SSC shall not maintain a caseload of more than fifty (50) participants.
2. If more than fifty (50) individuals have requested counseling and meet the established criteria, a waiting list shall be established. Any individual who has been on the waiting list for at least sixty (60) days, but not longer than ninety (90) days shall be referred to other treatment sources that have been approved by the SORAAB.
3. A sex offender who does not admit guilt or responsibility for the offender's sexually assaultive offense shall not be accepted in the SOTP, after the initial assessment and orientation phase.
4. A non-admitter or an applicant who has been rejected shall be allowed to reapply for admission into the program one hundred eighty (180) days after rejection. If the non-admitter reapplies for admission into the program, the offender may be accepted if the offender admits guilt or responsibility for his sexually assaultive offense.

C. Responsibility

The client shall receive written notification that:

1. Successful completion of the SOTP provides an offender with the tools to

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control his behavior but does not provide a cure for the offender's behavior;

2. Upon completion of the SOTP, a report of treatment progress shall be made to the Parole Board or probation and parole officer; and
3. The payment of treatment fees and obligations and the administration of the polygraph may be required.

D. Confidentiality

1. KRS 197.440 governs the confidentiality of communications made by a sex offender and the written notice required.
2. A planned criminal activity disclosed in evaluation or treatment of an offender shall be reported to the appropriate authorities.
3. A criminal activity disclosed to treatment staff during the course of therapy that occurred before the index offense shall not be reported to authorities if it is not ongoing and there is no identifiable victim remaining at risk and it does not meet the disclosure requirements in KRS 197.440. An effort shall be made to determine that a victim or child is not currently at risk by continued contact with the sex offender who made the disclosure of prior sexually abusive behaviors.
4. Adjunct staff and volunteers shall be subject to the same limits of confidentiality as outlined in KRS 197.440 and this policy.

E. Recordkeeping

1. The treatment file shall be maintained separately from a probation and parole supervision file.
 - a. The treatment file shall include:
 - (1) Referral documentation;
 - (2) Intake documentation;
 - (3) Program contract;
 - (4) Group participation documentation:
 - (a) Weekly case note; and
 - (b) Quarterly progress;
 - (5) Any termination documentation;
 - (6) Any raw psychological data and psychological evaluations;
 - (7) Risk assessment data and evaluation;
 - (8) Copy of PSI;
 - (9) Any relevant releases of information;
 - (10) Any Parole Board reports; and

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(11) Any Comprehensive Sex Offender Pre-sentence Evaluation (CSOPE).

b. The treatment file may include:

- (1) Supplemental Conditions of Supervision for Sex Offenders;
 - (2) Verification of Sex Offender Registration, or
 - (3) Other relevant materials.
2. Upon a client's discharge by parole or court ordered shock probation from the institutional program, the institutional SOTP unit shall forward the treatment files to the SOTP unit in the probation and parole district.
 3. If a client in a community treatment program is transferred to another probation and parole district, the treatment file shall be forwarded to the SOTP unit in the receiving probation and parole district.
 4. Information shall not be released to another mental health agency without receipt of a written authorization by the client on an official release of information document.

F. Attendance

1. A client may be terminated from the program if the client has more than one (1) unexcused absence within a ninety (90) day period. The client's probation and parole officer shall be notified prior to the client's termination.
2. An authorized absence shall include:
 - a. Verified illness;
 - b. Verified medical appointment;
 - c. Death in the family or verified serious illness in the family;
 - d. Employment – only if prior approval has been given by the SSC; or
 - e. Other absence authorized by the SSC.

G. Treatment Modalities

1. Upon completion of the assessment and orientation phase, clients shall complete the psychoeducational components as outlined in KRS 197.420. These components and group therapy tasks shall be presented in a group therapy format unless it is clinically indicated that group therapy should not be used in a specific case:
 - a. Assessment and orientation (A&O):
 - (1) Introduction;

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- (2) Human sexuality;
- (3) Relationship skills; and
- (4) Cycle of offending;
- b. Core therapy:
 - (1) Autobiography;
 - (2) Ownership;
 - (3) Correcting thinking errors[];
 - (4) Relapse prevention;
 - (5) Victim awareness;
 - (6) Restitution; and
 - (7) Final group review;
- c. Maintenance Sessions – six (6) monthly meetings; and
- d. Recommendations for:
 - (1) Individual counseling;
 - (2) Group counseling;
 - (3) Marital and family counseling; and
 - (4) Ancillary programs addressing other needs.

2. The SOTP may be completed in a minimum of eighteen (18) months. Any completions occurring in less than eighteen (18) months shall require review and approval from the Mental Health Authority.

3. The SOTP may take as long as thirty-six (36) months. Any completions occurring in more than thirty-six (36) months shall require review and approval from the Mental Health Authority.

H. Client Evaluation

1. Each client shall be evaluated by staff on the following criteria:

- a. Attendance;
- b. Participation;
- c. Attentiveness;
- d. Behavior;
- e. Knowledge; and
- f. Demonstration of application of treatment concepts.

2. Each client may be given feedback concerning this evaluation and shall be given the opportunity to provide input at least every one hundred and twenty (120) days.

I. Termination

1. A client may be terminated from the SOTP for any of the following reasons:

- a. More than one (1) unauthorized absence within a ninety (90) day

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- period;
- b. Disruptive or threatening behavior in sessions;
 - c. The safety of the clients or SOTP staff is threatened;
 - d. Failure to complete any other component of the treatment plan as approved by the HSPS in subsection 2 of this section;
 - e. Failure to make payments for community treatment sessions;
 - f. Failure to pass or submit to polygraph;
 - g. A violation of the terms of the treatment contract; or
 - h. Non-admittance of guilt or responsibility for committing sexually assaultive offense. Any non-admitter who is already in the program shall be informed in writing that he has until the end of the module in which he is currently participating to admit guilt or responsibility for committing his sexually assaultive offense. If he does not admit guilt or responsibility for his offense, he shall be terminated from the program. The non-admitter shall be allowed to apply for readmission to the program one hundred eighty (180) days from the date of termination.
2. If termination from the SOTP is indicated, the SSC shall make a recommendation of termination to the HSPS. The SSC shall notify the probation and parole officer of the recommendation.
 3. Upon receipt of a termination request, the HSPS shall rule on the recommendation for termination. The decision of termination by the HSPS shall be entered into the offender management system and the probation and parole officer updated. If the HSPS is unavailable and an immediate ruling is needed, the decision may be made by the SOTP Program Administrator.
 4. The SOTP staff shall forward a written notice of termination directly to the client or to the client through the probation and parole officer within seven (7) business days of the final decision on termination.

J. Appeals of Termination

The client may forward a written appeal to the Department of Corrections Mental Health Authority or designee within ten (10) calendar days of receipt of the decision. The Mental Health Authority or designee shall forward a written response to the client within twenty-one (21) business days of receipt of the appeal.

K. Re-Application

If a client is not-accepted into the SOTP or terminated from the SOTP, he may reapply one hundred eighty (180) days after the non-acceptance or termination date as affixed by the HSPS. This does not mean that re-admission is guaranteed.

L. Use of Adjunct Staff

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1. The SOTP may use an adjunct staff member who is currently an employee of the Department of Corrections.
2. Use of an adjunct staff member shall be subject to approval by the Mental Health Authority or designee and by the employing agency.
3. A training session conducted by SOTP staff shall be made available to adjunct staff.
4. Adjunct staff shall receive supervision from a designated staff member on at least a monthly basis.

M. Use of Volunteers

1. The SOTP may use a volunteer who is not an employee of the DOC subject to the provisions of CPP 26.1.
2. A volunteer shall abide by the rules or documents specific to the DOC in which the volunteer provides services.
3. A volunteer shall receive clinical supervision from a qualified staff member on at least a monthly basis.
4. A training session conducted by SOTP staff shall be required for each volunteer.
5. A volunteer may be a practicum student or student volunteer.

N. Safety and Security

A two-way radio, alert device, or telephone shall be available during a program activity in the community setting.

O. Establishment of a Case Management Team

1. After conviction and receipt of the referral to community supervision and treatment for a sex offender, the SSC shall convene a team to manage the offender during the term of supervision.
2. The purpose of the team shall be to staff cases, share information, and make informed decisions related to risk assessment, treatment, behavioral monitoring, and management of each offender. The team shall use the CSOPE and the PSI as a starting point for decisions.
3. Supervision and behavioral monitoring shall be a joint, cooperative effort

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of the SSC and supervising probation and parole officer.

4. Each team shall include the SSC and supervising probation and parole officer. The team shall be comprised of individuals whose involvement is appropriate for managing and treating the specific offender. Team membership may change during the treatment. The team may include individuals who need to be involved at a particular stage of management or treatment. The team may include a child protection worker, adjunct mental health providers, other legal representatives, or a probation and parole officer from the sentencing state as appropriate.
5. A team member shall maintain the priorities of community safety and risk management if making decisions about the management or treatment of a client.
6. A team member shall communicate frequently enough to manage and treat the client effectively, with community safety as the highest priority.
7. The team shall seek:
 - a. An ongoing, open flow of information among all members of the team;
 - b. Participation of each team member in the management of a client;
 - c. Resolution of conflicts and differences of opinion among themselves to present a unified response. The final authority shall rest with the supervising probation and parole officer; and
 - d. Commitment by team members to the team approach and assistance with conflicts or alignment issues that occur.

P. Responsibility of the SSC within the Team

1. The SSC shall adhere to the DOC ethical standards in CPP 3.1.
2. The SSC shall provide a copy of the quarterly client progress report to the team members as appropriate.
3. The SSC shall supply the probation and parole officer and appropriate team members with a copy of the written treatment and relapse plan. The SSC shall also coordinate a meeting with the client and the client's partner to provide home rules and plans of protection if establishing contact with minors. The client, SSC, probation and parole officer, and client partner shall sign these documents if applicable. Alterations to the conditions of treatment or supervision shall not be granted without the agreement and written consent of all team members. The SOTP policies regarding reestablishing contact with minors and reunification, home rules, travel rules, and the program contract shall be shared with the probation and parole

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officer and any other team members deemed appropriate.

4. The supervising probation and parole officer may attend any session conducted with the client including group sessions with prior approval of the HSPS or SOTP Program Administrator.
5. The SSC shall immediately report to the probation and parole officer a violation of the treatment contract, including those related to specific conditions of supervision and attendance. This shall include evidence or likelihood of a client's increased risk of re-offending so that behavioral monitoring activities may be increased.
6. The SSC shall report to the probation and parole officer a reduction in frequency or duration of contacts or any alteration in treatment modality that constitutes a change in a client's treatment plan. A permanent reduction in duration, frequency of contacts, or permanent alteration in treatment modality shall be determined on an individual case basis by the SSC and probation and parole officer.
7. If termination from treatment is necessary, the SSC shall immediately notify the probation and parole officer. The probation and parole officer shall be provided with a written termination summary detailing the client's participation in treatment and reasons for the termination. If the probation and parole officer files a revocation of probation or parole, the SSC shall testify in court if necessary.

Q. Treatment Fee

1. In accordance with KRS 532.045(5), the SOTP may impose and enforce a treatment fee upon a client on community supervision who has been referred for sex offender specific treatment. The fee shall not be more than the offender is able to pay and not more than the actual cost of the evaluation or treatment.
2. If the client is unable to pay the treatment fee based on hardship or indigence, the treatment fee may be waived with approval by the Department of Corrections Mental Health Authority.
3. The treatment contract shall explain the responsibility of a client (as applicable) to pay for the cost of assessment and treatment. The explanation shall include the handling of payment and consequence for failure to make proper and timely payments. A client shall be notified of a 30-day grace period in the case of inability to pay for a particular session prior to consideration of termination.