

JUSTICE AND PUBLIC SAFETY CABINET
Department of Corrections
(New Administrative Regulation)

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, 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 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 439.640 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>.

COOKIE CREWS, Commissioner

APPROVED BY AGENCY: March 4, 2024

FILED WITH LRC: May 15, 2024 at 10:30 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on July 23, 2024, at 9:00 a.m. at the Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through July 31, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Amy V. Barker, Assistant General Counsel, Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601, phone (502) 564-3279, fax (502) 564-6686, email Justice.RegContact@ky.gov.