

500 KAR 10:020. Administration and application procedure for community corrections grant program.

RELATES TO: KRS 196.700 - 196.736

STATUTORY AUTHORITY: KRS 15A.160, 196.035, 196.710

NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.702 and 196.710 require the Kentucky State Corrections Commission to administer the community corrections grant program. KRS 15A.160 and 196.035 authorize the secretary of the Justice and Public Safety Cabinet to promulgate administrative regulations necessary or suitable for the proper administration of the functions vested in the cabinet or any division in the cabinet. This administrative regulation establishes the application process and administrative procedures for the community corrections grant programs.

Section 1. Application Process.

(1) The administrator shall notify eligible applicants of the availability of grant funds, requirements of the program, grant application format, and deadline for receiving applications by sending notices to each county government and judicial circuit.

(2) The grant program requirements may be reviewed in full at the Justice and Public Safety Cabinet Web site under the Grants Management Branch and Kentucky State Corrections Commission grants.

(3) An applicant shall:

(a) Develop a community corrections program plan in compliance with KRS 196.720;

(b) Have:

1. A community corrections board established and functioning pursuant to KRS 196.725; or

2. An alternate board as described in KRS 196.710(3). If an applicant seeks to operate its community corrections program with oversight by an alternate board instead of a community corrections board pursuant to KRS 196.710(3), it shall operate under the following requirements in KRS 196.725:

a. The board shall provide direction and assistance to the community corrections program in the design, implementation and evaluation of the community corrections program plan;

b. The board members shall not receive compensation for their duties as board members, but this shall not include the normal salary received by an employee if the employee is not hired to be a board member;

c. The board shall be subject to the open meetings law, KRS 61.800 et seq., for any discussion or decision concerning the community corrections program, plan, or grant;

d. The board shall be subject to the open records law, KRS 61.870 et seq., for any records concerning the community corrections program, plan, or grant;

e. The board shall meet on a regular basis; and

f. Its duties shall include duties (1) through (4) as stated in KRS 196.725; and

(c) Submit a completed application through the grant management system used by the cabinet on the Justice and Public Safety Cabinet Web site under the Grants Management Branch and Kentucky State Corrections Commission grants.

(4) The community corrections program plan shall include:

(a) A project overview containing a description of the cities and counties to be served and the general format of the programs;

(b) A projected budget detailing the manner in which the funds will be expended;

(c) Any local funds or contributions allocated to the development and implementation of the program plan; and

- (d) Letters of certification of need and support from the circuit judge, Commonwealth attorney, and the chief executive officer of the governmental unit.
- (5) The community corrections program plan shall be approved by the board before an application is submitted.
- (6) The application shall include:
 - (a) The community corrections program plan;
 - (b)
 - 1. Records showing the creation of the community corrections board with meeting minutes; or
 - 2. Request for approval of alternate board by commission;
 - (c) The following information for the board:
 - 1. A list of board members and their area of representation, for example: crime victim, community leader;
 - 2. Board meeting schedule;
 - 3. Articles of incorporation, unless the board is an alternate board that is not incorporated; and
 - 4. A letter of good standing for the corporation from the Secretary of State, unless the board is an alternate board that is not incorporated;
 - (d) A description of the function and operation of the board, for an alternate board;
 - (e) Contact information;
 - (f) A project narrative;
 - (g) The specific objectives and operations of the proposed project;
 - (h) Performance indicators;
 - (i) A proposed budget narrative; and
 - (j) Supporting documentation as required within the application.

Section 2. Eligibility Requirements. The following programs shall be eligible to apply for funding pursuant to KRS 196.705:

- (1) Victim restitution;
- (2) Community service work;
- (3) Home confinement;
- (4) Electronic monitoring;
- (5) Drug and alcohol counseling program;
- (6) Day reporting centers; and
- (7) Other programs that are for a purpose outlined in KRS 196.705.

Section 3. Funds Restrictions. Grant funds shall be used for the development and implementation of new or enhanced programs and services for the targeted offenders. The funds shall not be used to supplant funds previously committed to the programs and services by local or state government.

- (1) Grant funds shall not be used in a manner prohibited by KRS 196.730 for jail operations or confinement, the renovation or construction of jail facilities, or the acquisition of land.
- (2) Grant funds shall be disbursed on a quarterly basis, but the board shall not spend any funds unless services have been rendered.

Section 4. Award Procedure.

- (1) The administrator shall forward copies of the grant applications to the commission who shall meet and determine which applications will be awarded grants within 100 days of the grant application deadline.
- (2) The commission shall make its decision based on:
 - (a) The requirements in KRS 196.710;

- (b) Assessment of the proposed program's ability to meet the purposes of community corrections programs stated in KRS 196.705;
 - (c) Strength of proposed program plan, including project overview and proposed budget;
 - (d) If applicable, whether grant requirements were met for a previous grant, including the proper submission of quarterly reports;
 - (e) An area of specific grant focus determined by the commission, if any; and
 - (f) Other factors of similar importance in assessing the strength of an application.
- (3) The administrator shall notify the recipient of a grant award within two (2) weeks of the decision.
- (4) Grants shall be made on a year-to-year basis with consideration for continued funding after review of submitted progress reports and audit reports. Funding shall not be provided to a program, which has failed to demonstrate:
- (a) An effective sentencing alternative to incarceration;
 - (b) Successful program completions;
 - (c) Low arrest and supervision revocation rates;
 - (d) Cost savings; or
 - (e) Other positive outcomes supporting KRS 196.702(4).
- (19 Ky.R. 1021; Am. 1366; eff. 12-9-1992; 2090; 2406; eff. 5-10-1993; 46 Ky.R. 2126, 2630; eff. 6-30-2020.)