

### **439.250 Definitions for KRS 439.250 to 439.560.**

As used in KRS 439.250 to 439.560, unless the context requires otherwise:

- (1) "Secretary" means the secretary of the Justice and Public Safety Cabinet;
- (2) "Commissioner" means the commissioner of the Department of Corrections;
- (3) "Department" means the Department of Corrections;
- (4) "Deputy commissioner" means the deputy commissioner of the Office of Adult Institutions or the deputy commissioner of the Office of Community Services and Facilities of the Department of Corrections;
- (5) "Board" means the Parole Board created by KRS 439.320;
- (6) "Community supervision" means:
  - (a) The placement of a defendant under supervision with conditions imposed by a court for a specified period during which:
    1. Criminal proceedings are deferred without an adjudication of guilt; or
    2. A sentence of imprisonment or confinement, imprisonment and fine, or confinement and fine, is probated and the imposition of sentence is suspended in whole or in part; or
  - (b) The placement of an individual under supervision after release from prison or jail, with conditions imposed by the board for a specified period;
- (7) "Parole compliance credit" means a credit on a paroled individual's sentence for program credit, work-for-time credit, educational accomplishment, or meritorious service and shall be calculated pursuant to the applicable provisions in KRS 197.045 and 197.047;
- (8) "Probation program credit" means a credit on the sentence of a supervised individual who is on probation, probation with an alternative sentence, or conditional discharge for educational credit, program completion credit, or work-for-time credit calculated pursuant to KRS 439.268;
- (9) "Supervised compliance credit" means a credit on a paroled individual's sentence for compliance with supervision that shall be calculated pursuant to KRS 439.345;
- (10) "Positive reinforcement" means any of a wide range of rewards and incentives, including but not limited to awarding certificates of achievement, reducing reporting requirements, deferring a monthly supervision fee payment, removing supervision conditions such as home detention or curfew, or asking the supervised individual to be a mentor to others;
- (11) "Probation and parole district supervisor" means the highest ranking field probation or parole administrator in each district; and
- (12) "Supervised individual" means an individual placed on probation, probation with an alternative sentence, or conditional discharge by a court or serving a period of parole or post-release supervision from prison or jail.

**Effective:** July 15, 2020

**History:** Amended 2020 Ky. Acts ch. 44, sec. 2, effective July 15, 2020. -- Amended 2017 Ky. Acts ch. 158, sec. 12, effective June 29, 2017. -- Amended 2011 Ky. Acts ch. 2, sec. 29, effective June 8, 2011. -- Amended 2007 Ky. Acts ch. 85, sec. 318,

effective June 26, 2007. -- Amended 1992 Ky. Acts ch. 211, sec. 90, July 14, 1992. -- Amended 1982 Ky. Acts ch. 344, sec. 37, effective July 15, 1982. -- Amended 1974 Ky. Acts ch. 74, Art. V, secs. 24(16), 28. -- Amended 1966 Ky. Acts ch. 255, sec. 275. -- Amended 1962 Ky. Acts ch. 106, Art. X, sec. 10. -- Amended 1958 Ky. Acts ch. 126, sec. 42. -- Created 1956 Ky. Acts ch. 101, sec. 1.