

 <p>KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	Date Filed	Effective Date
Authority/References	Subject	
KRS 196.035, 196.045, 439.470, 532.043 18 U.S.C. Chapter 40 & 44, 18 U.S.C. 922(d)(g), 925(c), 845(b) P&P ACA 2C-06	<p style="text-align: center;">ASSISTANCE TO FORMER OFFENDERS AND DISCHARGEES</p>	

I. DEFINITIONS

“Civil rights” is defined in KRS 196.045.

“Dischargee” means a person released by conditional release or expiration of sentence from an institution, parole, or probation by expiration of sentence or termination of sentence.

“Eligible felony offender” is defined in KRS 196.045.

“Former offender” means a person formerly on probation or parole.

II. POLICY and PROCEDURE

It is the policy of Corrections to assist former offenders and dischargees upon request, and to encourage an eligible felony offender to apply for restoration of civil rights. (2C-06)

- A. An officer shall provide assistance to any former offender or dischargee who requests it. Corrections shall make appropriate referrals and assist the dischargee.
- B. The Department of Corrections shall follow the procedures established in KRS 196.045 by informing the eligible offender of the process for restoration of civil rights and by providing him with a copy of the “Division of Probation and Parole, Application for Restoration of Civil Rights.”
 1. Any eligible offender may submit an application for the restoration of his civil rights to the Department of Corrections for processing. The eligible felony offender, may apply upon release from an institution, having reached the expiration date of his sentence or received a final discharge from the Parole Board. The eligible felony offender shall sign the application if he wishes to have the Department of Corrections initiate the restoration process.

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2. An eligible offender, who is required under KRS 532.043 to serve a postincarceration supervision sentence following release from either incarceration upon expiration of sentence or completion of parole, may apply upon having reached the expiration date.

3. Request for Application

Upon request for an application and assistance the officer shall be responsible for the following:

- a. Verify that the applicant is an eligible felony offender pursuant to KRS 196.045 and complete a criminal record check on the applicant.
- b. Verify and list all dates requested on the application including: (1) date received at the institution; (2) date probated, date paroled, date of final discharge or sentence expiration; (3) institution or probation number; and (4) crime and sentence.
- c. Verify and list any previous felony conviction giving the same required information as listed above under subparagraph b. of this section.
- d. For a felony offender convicted in a federal or out-of-state court, attaching to the application a copy of the conviction or judgment of final sentence, documentation attesting to the final discharge and proof of a fine and restitution ordered.
- e. On all convictions from the Commonwealth of Kentucky, verification shall be provided that restitution is paid in full.

4. Any information required on an application that is not available to the officer is the responsibility of the applicant to obtain before submitting the application for processing.

5. The officer shall instruct the applicant where to mail the application. The application shall be mailed to the Department of Corrections, Attention Civil Rights Restoration, P. O. Box 2400, Frankfort, Kentucky 40602-2400.

6. The applicant shall be informed that restoration of civil rights does not restore a convicted felon's right to purchase, own or have in his possession a firearm or deadly weapon.

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7. The officer shall instruct the applicant that to expedite the process, the applicant may obtain a letter from the Commonwealth Attorney stating there are no pending charges and no objections to a restoration of civil rights at this time.

DIVISION OF PROBATION AND PAROLE
APPLICATION FOR RESTORATION OF CIVIL RIGHTS

Please allow up to 12 weeks to process your application

Answer every question that applies to you:

1. Name Used at Time of Conviction: _____ Aliases Used: _____
Institution or Federal Number: _____
Case Number (Probation): _____
2. Address: _____
City/State: _____ Zip: _____
County: _____
3. Phone: (_____) _____ - _____
4. Date of Birth: ____/____/____ Social Security Number: ____-____-____
5. What is your **most recent** felony conviction? **List Charges:** _____

6. Length of Sentence: _____ Probated for _____ Years
7. Court of Conviction: _____ City, County & State: _____
8. Date of Conviction: _____
9. Institution or Jail **released** from: _____
Date Entered Institution or Jail: _____
Date Paroled: _____ Date of Final Discharge or Serve Out: _____
10. Date Probated: _____ Date Probation Expired: _____
Name of **Last** Supervising Officer and County: _____
11. **Federal Sentences:** Date Probation Supervised or Parole Release Terminated? _____
12. Are you under Indictment? Yes No Explain: _____
13. Do you have any Outstanding Fines? Yes No Explain: _____
14. Do you have any Unpaid Restitution? Yes No Explain: _____
15. Do you have any previous felony convictions other than the one(s) above? Yes No
List any previous Felony Convictions: (A) Number, Institution, State (B) Crime (C) Sentence (D) Date of Conviction (E) Date & Method of Release (F) Date of Final Discharge: _____

Restoration of Civil Rights DOES NOT give a convicted felon the right to purchase, own or have in possession a firearm or other weapon.

To the best of my knowledge the above information is correct.

Applicant Signature/Date

Notary Public or Probation & Parole Officer

- All persons who have been convicted of a felony in any court in this or any other state loses the right to vote and to hold public office. It is the prerogative of the Governor afforded him or her under the Kentucky Constitution to restore these rights.
- To be eligible for restoration of civil rights, applicants must have received a Final Discharge from parole or their sentence must have expired, whichever is applicable. Applicants must not be under felony indictment, must not have pending charges or owe any outstanding fines or restitution.
- Registering to vote **prior** to receiving restoration of civil rights is a violation of the law. This violation may impose a maximum penalty of five (5) years in prison.
- If you had a **Federal Conviction**, answer all questions that apply to your probation or parole conviction.
- If you had an **Out-of-State Conviction**, answer questions that apply to your probation or parole conviction.
- **For those convicted in a federal or out-of-state court, you must provide a copy of the conviction/judgment of final sentence, a letter from the former parole officer attesting to the final discharge, and proof that fines or restitution ordered has been paid.**
- If you do not answer all of the questions that apply to you, submit any documents that may be required or fail to sign; your application will be returned to you for completion. Please assist us in processing your application as quickly as possible by completing the questions applicable to your case.
- Return the completed application to:

Department of Corrections
Division of Probation & Parole
P.O. Box 2400
Frankfort, KY 40602-2400
Attn: Restoration of Civil Rights