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Authority/References KRS 196.031, 196.032, 196.111, 196.286, 196.288, 197.010, 218A.140, 439.250, 439.3101, 439.3103, 446.010, 532.007 CPP 29.1, 29.2, 30.2, 30.6 P&P ACA 2A-01, 2A-07, 2E-01, 3D-08, 3D-09 and 2-CO-1A-23	Subject PROGRAM APPROVAL PROCESS, EVALUATION, AND MEASUREMENT	

I. DEFINITIONS

“Activity” means a facility specific function that is voluntary for offenders, does not require a standard curriculum, maintaining attendance records, or an achievement certificate and does not qualify for program credit.

“Case plan” is defined by KRS 446.010.

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

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

“Graduated sanction” is defined by KRS 446.010.

“Life skills program” is defined by KRS 197.010.

“Performance measurement” means the ongoing monitoring and reporting of program accomplishments and progress toward pre-established goals.

“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 evaluation” means individual, systematic studies conducted periodically to assess program effectiveness.

“Promising practices” is defined by KRS 197.010.

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“Religious program” means a program that does not have a secular purpose or a program, which has a curriculum that advances or inhibits specific religion(s) and does not qualify for program credit.

“Risk and needs assessment” is defined by KRS 446.010.

II. POLICY and PROCEDURES

A. General

This policy establishes procedures regarding the identification of and the required evaluation and measurement of the department’s approved program model. This policy shall apply to all institutions, contract facilities, jails, and Probation and Parole.

1. A program shall be evidence-based, substance abuse treatment, life skills, or promising practice pursuant to KRS 197.045(1)(a)3. before it may be considered for approval by the department.
2. Any program offered by the Department of Corrections shall go through the program approval process as outlined in this policy before implementation.
3. The department shall use a series of decision-making points to determine the effectiveness of programs offered.
 - a. New programs submitted for review to the department shall be evaluated by the designee appointed by the Commissioner. Areas of review include available research on the effectiveness of the program; adherence to risk, need, and responsivity principles; and intervention practices such as outcome tracking and fidelity practices.
 - b. Current programs shall be evaluated annually by the designee appointed by the Commissioner specifically for participation numbers, successful and unsuccessful completion rates, and impact on recidivism.

B. New Program Review and Approval Process


1. Adult institutions shall submit a program request for consideration to the Deputy Commissioner of Adult Institutions.
2. Jails shall submit a program request for consideration to the Director of Local Facilities.
3. Reentry Service Centers shall submit a program request for consideration to the Director of Probation and Parole.

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4. The Division of Reentry Services shall submit a program request for consideration to the Director of Reentry Services.
5. Initial review by the Deputy Commissioner or Director, shall include assessing the program based on the documentation submitted to determine if the program fits a current need in the department.
 - a. If determined to fit a current need, the program's information with the curriculum shall be forwarded to the designee appointed by the Commissioner for second level review.
 - b. If determined not to fit a current need in the department, the Deputy Commissioner or Director shall notify the submitting party of the denial in written form.
6. Second Level Review
 - a. The second level review completed by the designee appointed by the Commissioner shall include assessing the program based on a series of decision-making points to determine the effectiveness of programs offered as referenced in this policy.
 - b. The second level review shall include multiple staff members representing subject matter areas across the department.
 - c. After review, the designee appointed by the Commissioner shall provide justification using the review of the decision-making points in this policy for approval or denial of the requested program to the appropriate Deputy Commissioner or Director for review.
7. After review by the Deputy Commissioner or Director, the program request shall be submitted to the Commissioner or designee for final review and approval or denial. The review shall be forwarded to the Commissioner or designee for further review.
8. The Commissioner shall review the approved or denied program request and send the final decision to the appointed designee. The final decision shall be forwarded to the Deputy Commissioner or Director.
9. The designee appointed by the Commissioner shall notify the Deputy Commissioner or Director and the person requesting the program of the final decision. If denied, the Deputy Commissioner or Director shall notify the submitting party of the denial in written form. If approved, the designee appointed by the Commissioner shall notify the Branch Manager of Programs who shall:

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- a. Notify Offender Information Services of the new program.
 - b. Offender Information Services shall then enter the new program data into the offender management system by:
 - (1) Adding the new program to the list of approved programs offered in the DOC; and
 - (2) Adding the new program to the appropriate program approved program listing.
- C. New Location for a Program Approved by the Department
- An adult institution, jail or Reentry Service Center may submit a request to become an approved location for an existing approved program that is listed within the appropriate approved program listing to the Branch Manager of Programs for review. If approved, the Branch Manager of Programs shall:
1. Notify Offender Information Services of the new program location;
 2. Update the appropriate program listing to include the facility as an approved program location;
 3. Notify the person requesting the program location request of the final decision; and
 4. Retain the completed request.
- D. The department's drug treatment programs shall comply with CPP 30.6.
- E. Staff shall refer to CPP 20.1 for educational courses.
- F. Once a program has been approved, program attendance shall be recorded in the offender management system as outlined in CPP 30.2.G. A report of all programs shall be submitted by the DOC to the Justice and Public Safety Cabinet for review annually.

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Authority/References KRS 196.035, 196.111, 197.010, 197.020, 197.045, 439.250 501 KAR 3:120, 501 KAR 7:120 CPP 17.4, 19.3, 20.1, 30.1, 30.6	Subject PROGRAM CREDIT	

I. DEFINITIONS

“Activity” means a facility specific function that is voluntary for offenders, does not require a standard curriculum, maintaining attendance records, or an achievement certificate and does not qualify for program credit.

“Case management” means an unstructured collaborative process of meeting with a member of the behavior management team or contract staff in a small group or individual setting, to discuss needs, progress in programming, conduct assessment of needs, safety planning, relapse prevention planning, and care coordination. Attendance tracking or progress review is excluded.

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

“Jail” means a jail 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.

“Jailer” means:

- A. The official duly elected or appointed pursuant to Section 99 or 152 of the Kentucky Constitution, charged with the responsibility of administering the jail;
- B. The administrator or director of a department as defined by KRS 67B.020(1);
- C. The administrator or director of a correctional services division as created by KRS 67A.028; or
- D. The administrator of a regional jail as defined by KRS 441.005(7).

“Jail program staff” means jail personnel that facilitate or oversee Department of Corrections approved programming provided to the offender population.

“Life skills program” is defined in KRS 197.010.

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

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- 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 credit” means a sentence credit earned by completion of a designated program approved by the Department of Corrections as required in KRS 197.045(1)(a)(3).

“Promising practice” is defined by KRS 197.010.

“Publicize” means advertisements, posted notices, pamphlets, brochures, flyers, offender newsletters, or other publication or written material distributed to offenders.

“Religious program” means a program that does not have a secular purpose or a program, which has a curriculum that advances or inhibits specific religion(s) and does not qualify for program credit.

II. POLICY AND PROCEDURE

This policy establishes procedures for the Department of Corrections (DOC) to award good time credit to offenders for completion of programs. This policy shall apply to all institutions, contract facilities, jails, and Probation and Parole.

A. General Procedures

Program completion shall be verified by staff conducting the program. The program credit shall be awarded under the following procedures:

1. The DOC Commissioner or designee shall designate programs that qualify for program credit as referenced in CPP 30.1.
2. A list of programs approved by the DOC that meet the qualifying criteria in CPP 30.1 shall be maintained by the Department and publicized to offenders with the program title, program description, and amount of good time credit eligible for completion. Case management participation shall not be eligible for program credit.
3. Offenders may enter into a program only if the admission criteria is met as outlined in the list of DOC approved programs and if they meet the qualifications as provided in this policy.
4. Documentation of the offender’s program completion and program credit award shall be entered into the offender management system within the timeframes provided in this policy.

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5. The Department shall use a series of decision-making points to determine the amount of good time credit each program shall award upon completion to an offender. Good time credit amounts shall be evaluated based on these decision-making points annually by the Branch Manager of Programs.
6. The Department shall award credit for completion of each program an offender completes, including instances of enrollment in the same program on multiple occasions. While it shall not be common practice for the Department to enroll an offender in a duplicative program, there are circumstances where this may be an option:
 - a. If ordered by the Kentucky Parole Board or Sentencing Court for program completion.
 - b. If a DOC staff member deems the need for the offender to replicate a program based on a high or moderate risk factor as determined by the validated risk and needs assessment.
 - c. If a DOC staff member deems the need for the offender to replicate a program based on addressing an unmet clinical need.
7. An offender shall not be placed in more than two (2) concurrent programs unless a request for additional programming is approved by the Warden or the applicable Department of Corrections Director.
8. The DOC, jails, and contract facilities shall only award credit for a program that has completed the program approval process as outlined in CPP 30.1. A DOC recognized activity or religious program shall not be eligible to receive good time credit.
9. An offender requesting programming that does not originally meet the criteria outlined in section 6, shall be reviewed by DOC staff. The DOC staff member shall review the offender's KyRAS domains to see if they score moderate or high in a domain where programming is offered to address that need. If the score in a particular domain is moderate or high, the offender may be placed into programming that addresses that domain, as requested.
10. Staff shall upload all required program documentation into the offender management system. All documents not uploaded into the offender management system shall be retained in accordance with the Records Retention Schedule.
11. For substance abuse treatment programs operated by the Division of Addiction Services, refer to CPP 30.6.

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12. For education courses, refer to the Academic and Vocational Education policy CPP 20.1.

B. Institutions - Procedures for Program Completion and Credit

1. Program Referral Process

a. Department of Corrections Classification and Treatment Officers (CTOs), Unit Administrators (UAs), or licensed clinical staff shall refer inmates to programs based on the following:

(1) If ordered by the Kentucky Parole Board or Sentencing Court for program completion as found in scanned documents on the court order or parole certificate;

(2) If a DOC staff member deems the need for the offender to complete a program based on a high or moderate risk factor as determined by the validated risk and needs assessment; or

(3) If a DOC staff member deems the need for the offender to complete a program based on addressing an unmet clinical need.

b. The CTO or UA shall notify the offender of the referral.

c. The CTO shall document the referral in the Program Recommendation screen in the Kentucky Offender Management System (KOMS).

(1) If an offender is recommended to take a program, the offender's status shall be updated by the CTO to "On Waiting List" on the Program Recommendation screen in KOMS. A program assignment shall be created once the offender is enrolled into the program.

(2) If not recommended, the reasons for this shall be entered into the Program Recommendation screen in KOMS.

2. Program Tracking

a. Program staff shall enter program attendance weekly into the Job/Program Assignment screen in KOMS.

b. The CTO shall properly maintain the Assignment Status field in the Job/Program Assignment screen in KOMS for the duration of the

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program progression. Any change in status shall be documented in KOMS within three (3) working days.

3. Application of Credit

a. Upon completion of an approved program, program staff shall:

- (1) Upload the completion document through the Program Achievement screen in KOMS within three (3) working days.
- (2) Good time credit shall automatically generate in KOMS upon uploading the completion document.

b. Central Office Offender Information Services staff shall review the daily report of Program Achievement entries and shall audit earned program credit for accuracy in Sentence Credits/Debits in KOMS. The staff performing the audit shall:

- (1) Review the KOMS generated completion certificate to verify the program title, site at which the program was completed, the offender's name, PID number, date of completion, and facilitator name and signature are included on it;
- (2) Review the External Movements screen in KOMS to verify the offender was housed in the institution where the program was completed;
- (3) Review the Institution Program Matrix to verify the program has been approved for that facility and is listed on the matrix;
- (4) Verify program attendance was entered into the Job/Program Assignment screen in KOMS;
- (5) Enter a remark into the comment field in the Program Completion Credit entry in the Sentence Credits/Debits screen in KOMS to reflect the credit is audited. Specify if the credit was approved or denied; and
- (6) If it is determined that the program completion requirements were not met or the program did not qualify for program credit, remove the credit and enter information indicating the reason for the denial.

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4. An offender issue regarding sentence credit shall be appealed according to CPP 17.4.
 5. The Department of Corrections shall publicize available institutional programming to the offender population.
- C. Reentry Service Centers (RSC) and Recovery Kentucky Centers (RKC) - Procedures for Program Completion and Credit
1. Program Referral Process
 - a. Reentry Service Center or Recovery Kentucky Center staff shall refer inmates to programs based on the following:
 - (1) If ordered by the Kentucky Parole Board or Sentencing Court for program completion as found in scanned documents on the court order or parole certificate;
 - (2) If the RSC/RKC staff member deems the need for the offender to complete a program based on a high or moderate risk factor as determined by the validated risk and needs assessment in the KOMS risk assessment summary screen; or
 - (3) If the RSC/RKC staff member deems the need for the offender to complete a program based on addressing an unmet clinical need.
 - b. The RSC/RKC staff member shall notify the offender of the referral.
 - c. The RSC/RKC staff member shall document the referral in the Program Recommendation screen in the Kentucky Offender Management System (KOMS).
 - (1) If an offender is recommended to take a program, the offender's status shall be updated to "On Waiting List" on the Program Recommendation screen in KOMS. A program assignment shall be created once the offender is enrolled into the program.
 - (2) If not recommended, the reasons for this shall be entered into the Program Recommendation screen in KOMS.
 2. Program Tracking

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- a. Reentry Service Center or Recovery Kentucky Center staff shall enter program attendance weekly into the Job/Program Assignment screen in KOMS.
 - b. Reentry Service Center or Recovery Kentucky Center staff shall maintain the Assignment Status field in the Job/Program Assignment screen in KOMS for the duration of the program progression. Any change in status shall be documented in KOMS within three working days.
3. Application of Credit
- a. Upon completion of the program, Reentry Service Center or Recovery Kentucky Center staff shall:
 - (1) Upload the completion document through the Program Achievement screen in KOMS within three (3) working days.
 - (2) Good time credit shall automatically generate in KOMS upon uploading the completion document.
 - b. Central Office Offender Information Services staff shall review the daily report of Program Achievement entries and shall audit earned program credit for accuracy in Sentence Credits/Debits in KOMS. The staff performing the audit shall:
 - (1) Review the KOMS generated completion certificate to verify the program title, RSC or RKC at which the program was completed, the offender's name, PID number, date of completion, and facilitator name and signature are included;
 - (2) Review the External Movements screen in KOMS to verify the offender was housed in the RSC or RKC where the program was completed;
 - (3) Review the Reentry Service Center Program Matrix to verify the program has been approved for that RSC/RKC and is listed on the matrix;
 - (4) Verify program attendance was entered into the Job/Program Assignment screen in KOMS;
 - (5) Enter a remark into the comment field in the Program Completion Credit entry in the Sentence Credits/Debits

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screen in KOMS to reflect the credit is audited. Specify if the credit was approved or denied; and

- (6) If it is determined that the program completion requirements were not met or the program did not qualify for program credit, remove the credit and enter information indicating the reason for the denial.

- 4. An offender issue regarding a sentence credit shall be appealed according to CPP 17.4.
- 5. The Reentry Service Center or Recovery Kentucky Center shall publicize approved programming available as part of the orientation process to the residential population.

D. Jails - Procedures for Program Completion and Credit

1. Program Referral Process

- a. The jailer or jail program staff shall ensure the offender has been classified prior to enrolling the offender into a program, except in the case of GED.
- b. The jailer or jail program staff shall refer inmates to programs based on the following:
 - (1) If ordered by the Kentucky Parole Board or Sentencing Court for program completion;
 - (2) If a jailer, jail staff member, or DOC staff member deems the need for the offender to complete a program based on a high or moderate risk factor as determined by the validated risk and needs assessment or most recent PSI if needed; or
 - (3) If a DOC staff member deems the need for the offender to complete a program based on addressing an unmet clinical need.
- d. The jailer or jail staff member shall notify the offender of the referral. Notification shall be documented in the offender's file.

2. Program Tracking

- a. The jailer or jail program staff shall submit program attendance weekly to the Division of Local Facilities.

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- (1) The jailer or jail program staff shall use the program attendance roster provided by the Division of Local Facilities.
 - (2) Completed program attendance rosters shall be submitted electronically on Monday to Program.Attendance@ky.gov.
- b. Local Facilities staff shall enter the reported weekly program attendance into the Job/Program Attendance screen in KOMS.
 - c. Local Facilities staff shall maintain the Assignment Status field in the Job/Program Assignment screen in KOMS for the duration of the program progression, as reported by the jailer or jail program staff. Any change in status shall be documented in KOMS within three working days.
3. Application of Credit
- a. Upon completion of the program, the jailer or jail program staff shall:
 - (1) Indicate the completed status on the program attendance roster within three (3) working days.
 - (2) Submit the DOC authorized completion document to the Offender Information Services Branch electronically to Program.Certificates@ky.gov within three (3) working days.
 - b. Central Office Offender Information Services staff shall upload the completion document through the Program Achievement screen in KOMS within twenty-four (24) hours of receipt.
 - c. Good time credit will automatically generate in KOMS upon uploading the completion document, if the program is approved to earn credit.
 - d. Central Office Offender Information Services staff shall review the daily report of Program Achievement entries and shall audit earned program credit for accuracy in Sentence Credits/Debits in KOMS. The staff performing the audit shall:
 - (1) Review the completion document to verify the program title, jail at which the program was completed, the offender's name, PID number, date of completion, and facilitator name and signature are on it;

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- (2) Review the External Movements screen in KOMS to verify the offender was housed in the jail where the program was completed;
- (3) Review the Jail Program Matrix to verify the program has been approved for that jail and is listed on the matrix;
- (4) Verify program attendance was entered into the Job/Program Assignment screen in KOMS;
- (5) Enter a remark into the comment field in the Program Completion Credit entry in the Sentence Credits/Debits screen in KOMS to reflect the credit is audited. Specify if the credit was approved or denied; and
- (6) If it is determined that the program completion requirements were not met or the program did not qualify for program credit, remove the credit and enter information indicating the reason for the denial.

5. An offender issue regarding the failure to recommend a program or termination from a program shall be appealed through the jail.
6. An offender issue regarding a sentence credit shall be appealed according to CPP 17.4.
7. The jail shall publicize approved programming available to the offender population as part of the orientation process pursuant to CPP 5.3, incorporated by reference 501 KAR 3:120 and 501 KAR 7:120.

E. Division of Reentry Services and Division of Probation and Parole - Procedures for Program Completion and Credit

1. Program Referral Process

- a. Department of Corrections Probation and Parole Officers shall refer offenders to the Division of Reentry Services for programs based on the following:
 - (1) If ordered by the Kentucky Parole Board or Sentencing Court for program completion as found in scanned documents on the court order or parole certificate;

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- (2) If a DOC staff member deems the need for the offender to complete a program based on a high or moderate risk factor as determined by the validated risk and needs assessment; or
- (3) If a DOC staff member deems the need for the offender to complete a program based on addressing an unmet clinical need.
- b. The Probation and Parole Officer shall notify the Reentry Coordinator if the offender is being referred to programming.
- c. The Probation and Parole Officer shall notify the offender of the referral.
- d. The Probation and Parole Officer shall document the referral in the Program Referral screen in the Kentucky Offender Management System (KOMS).
 - (1) If an offender is recommended to take a program, the referral shall be put in the KOMS Program referral screen and the offender's status shall be listed as "Pending Referral". Once the offender is enrolled into the program, Reentry staff shall update the status of the referral to show "Active (Admitted)".
 - (2) If not recommended, the reasons for this shall be entered into the KOMS supervision contacts.
- e. Upon enrollment, the Probation and Parole Officer and Reentry Coordinator shall provide the offender with instructions for entrance into the specific program.
- 2. Program Tracking
 - a. Reentry Coordinators shall enter program attendance weekly into the Job/Program Assignment screen in KOMS.
 - b. The Reentry Coordinator shall properly maintain the Assignment Status field in the Job/Program Assignment screen in KOMS for the duration of the program progression. Any change in status shall be documented in KOMS within three working days.
- 3. Application of Credit
 - a. Upon completion of an approved program, reentry staff shall:

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- (1) Upload the completion document through the Program Achievement screen in KOMS within three (3) working days.
 - (2) Good time credit will automatically generate in KOMS upon uploading the completion document if credit is applicable.
- b. Central Office Offender Information Services staff shall review the daily report of Program Achievement entries and shall audit earned program credit for accuracy in Sentence Credits/Debits in KOMS. The staff performing the audit shall:
- (1) Review the KOMS generated completion certificate to verify the program title, site at which the program was completed, the offender's name, PID number, date of completion, and facilitator name and signature are included on it;
 - (2) Review the External Movements screen in KOMS to verify the offender was supervised in the district where the program was completed;
 - (3) Review the Probation and Parole Program Matrix to verify the program has been approved for that district and is listed on the matrix;
 - (4) Verify program attendance was entered into the Job/Program Assignment screen in KOMS;
 - (5) Enter a remark into the comment field in the Program Completion Credit entry in the Sentence Credits/Debits screen in KOMS to reflect the credit is audited. Specify if the credit was approved or denied; and
 - (6) If it is determined that the program completion requirements were not met or the program did not qualify for program credit, remove the credit and enter information indicating the reason for the denial.
- c. If an offender under supervision in another state completes a program recognized by the DOC, the Officer shall notify the Reentry Coordinator of the program completion. At this time, the Reentry Coordinator shall follow the steps as outlined in this section to award good time credit.

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4. An offender issue regarding a sentence credit shall be appealed according to CPP 17.4.
5. The Department of Corrections shall publicize available community programming to supervised offenders.

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RISK AND NEEDS ASSESSMENT AND REENTRY PROGRAMMING TRAINING AND QUALITY ASSURANCE		

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.

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

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“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;
 - c. Annual quality assurance audits; or

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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

1. An assessor and his immediate supervisor, including contract staff, administering the validated risk and needs assessment shall successfully

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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.

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	Supersedes Effective Date	
Authority/References	Subject	
KRS 196.035, 196.045, 197.010, 197.025, 197.047 439.250, 439.265, 439.268, 446.010, 533.020, 533.254 CPP 19.3, 20.1, 27-12-06, 27-14-01, 30.2, 30.7	PROBATION PROGRAM CREDIT	

I. DEFINITIONS

“Community supervision” means the placement of a defendant under supervision with conditions imposed by a court for a specified time.

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

“Life skills program” is defined in KRS 197.010.

“Probation program credit” means a sentence credit for a supervised individual who is on probation, probation with an alternative sentence, or conditional discharge for education credit, program completion credit, or work-for-time credit.

“Promising practices” is defined in KRS 197.010.

“Working day” means a business day for a state office, but does not include Saturday, Sunday or a holiday set by KRS 18A.095.

II. POLICY and PROCEDURE

Any supervised or inactive offender on probation, probation with an alternative sentence, shock probation, conditional discharge, misdemeanor probation, misdemeanor intensive program, or felony pretrial diversion, and eligible Kentucky offenders supervised out of state, shall receive probation program credits upon successful completion of education, approved treatment, promising practice, or life skills program or work for time credit as outlined in this policy pursuant to KRS 439.268. Accrual of probation program credits shall begin the first (1st) day of the first (1st) month following July 15th, 2020. Probation program credit shall be earned as follows:

A. Education Credit

1. Any supervised offender while on community supervision shall be eligible to receive education credits pursuant to KRS 439.268(1)(a) and CPP 20.1 for the following:

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- a. A high school equivalency diploma;
 - b. A high school diploma;
 - c. A credential for successful completion of a career or technical education program;
 - d. An associate's degree, bachelor's degree, master's degree, or doctoral degree from an accredited college or university pursuant to CPP 20.1; or
 - e. An approved post-secondary correspondence program diploma or degree pursuant to CPP 20.1.
2. Sentence credit shall not be awarded for:
- a. An individual course;
 - b. A certificate;
 - c. Completion of a module or level within a larger trade or career or technical education program;
 - c. A degree or diploma from a non-approved correspondence course provider;
 - d. A degree or diploma from a non-accredited entity; or
 - e. Any course not approved by the Division of Education.
3. Within three (3) working days of receipt, the officer shall verify the education achievement and submit the official high school equivalency transcript or a transcript documenting career and technical education program completion, diploma, or college degree for an associate's degree, bachelor's degree, master's degree, or doctor's degree to the Division of Education Registrar at DOCEdu.Registrar@ky.gov for review and award. Refer to CPP 20.1.
4. Within three (3) working days of the receipt of the qualifying approval returned from the Division of Education, the officer shall update the offender demographics and education history and place a notation in the contacts screen in the offender management system.
5. Eligible Kentucky offenders supervised out of state shall receive education credit for completion pursuant to KRS 439.268 and CPP 20.1.

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- a. The officer shall explain the probation education credit to the offender during the orientation interview or interstate transfer process.
 - b. The officer shall include the education credit information on the interstate transfer application and the validated education documentation required. c. Within three (3) working days of receipt, the officer shall submit all education documentation pertaining to an offender's high school equivalency transcript or transcript documenting receipt of a credential for successful completion of a career and technical education program, or an associate's degree, bachelor's degree, master's degree, or doctoral degree to the Division of Education registrar, DOCEdu.Registrar@ky.gov for review and award approval.
 - d. If approval from the Division of Education registrar or designee is received, the officer shall enter the information into the offender management system within three (3) working days as outlined in subsection A. 3.
6. The officer shall follow the procedure as outlined in section E, Sentencing Court Notification for eligible Kentucky offenders supervised in or out of State.

B. Program Completion Credit

Any supervised offender while on community supervision who successfully completes an approved treatment program, evidence-based program, or approved promising practice or approved life skills program, shall be eligible to receive program completion credits pursuant to KRS 439.268.

1. Addiction Services Review and Approval Process

- a. The Division of Addiction Services shall verify the treatment program was completed and approved pursuant to its approval process in CPP 30.7. The Division of Addiction Services shall enter any probation program credit days awarded for a completed, approved program in an amount of no more than ninety (90) days.
- b. Kentucky offenders supervised out of state shall receive program credit for completion of qualifying treatment programs outlined in subsection B. 1.
 - (1) The officer shall explain the probation program treatment completion credit and the treatment program pre-approval

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to the offender during the orientation interview or interstate transfer process.

- (2) The officer shall include the program treatment credit information on the interstate transfer application and the validated completion documentation required.
 - (3) The officer shall upload the certificate of program completion into the offender management system within three (3) working days upon receipt.
- c. All treatment programs attended in or out of state shall be preapproved and qualifying program treatment credit per program shall only be applied by the Division of Addiction Services.
 - d. The officer shall enter a notation in the supervision contacts screen as to the type and amount of probation credits awarded within three (3) working days of the approval from Division of Addiction Services.
 - e. The officer shall follow the process as outlined in section E Sentencing Court Notification for eligible in or out of state Kentucky offenders.

2. Division of Reentry

- a. The Division of Reentry Services shall verify the completion of an evidence-based program, promising practice, or life skills program approved pursuant to its approval process in CPP 30.2. The Division of Reentry Services shall enter program credit days for completed and approved programs or promising practices. Probation program credits shall be awarded upon approval in an amount of no more than ninety (90) days. Any change in program status shall be entered into the offender management system by the Reentry Coordinator within the Division of Reentry Services in accordance with CPP 30.2 (Program Credit).
- b. Kentucky offenders supervised out of state shall receive probation program credit for completion of a Division of Reentry pre-approved evidence-based program, promising practice, or life skills program.
 - (1) The officer shall explain the probation program evidence-based program, life skills program, or promising practice completion credit and the required program pre-approval to the offender during the orientation interview or interstate

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transfer process.

- (2) The officer shall include probation program credit information on the interstate transfer request and application to the receiving state.
- (3) The officer shall notify the Division of Reentry Services program coordinator upon receipt of the verified completion documentation. The officer shall upload the final completion documentation into the offender management system.

c. All evidence-based programs, promising practices, or life skills programs in-or out of state shall require preapproval and qualifying credit shall only be applied by the Division of Reentry.

d. The officer shall enter a notation in the supervision contacts screen as to the type and amount of probation credits awarded within three (3) working days of the approval from the Division of Reentry Services.

e. The officer shall follow the process as outlined in section E Sentencing Court Notification.

3. A certificate of program completion shall be entered by DOC staff for out of state offenders supervised by Kentucky into the offender management system. This completion shall not be placed into the offender management system as a program achievement. A copy of the offender's certificate of program completion shall be sent to the sending state to apply credit as necessary based on the sending state's authorizing statutes.

C. Work for time Credit

1. If a supervised offender provides documentation of verifiable wage earning employment hours worked in any public employment, work for time credit shall be applied pursuant to KRS 439.268(2) and 197.047.
2. The officer shall verify the supervised offender's employment, employment shall be verified by employment records, pay stub, employment letter, or similar reliable method.
3. The offender shall receive one (1) sentence credit for every eight (8) hours of employment worked. For every five (5) sentence credits earned, one (1) day shall be deducted from the maximum expiration date unless the officer determines the work is not supported, accurately reported, or other similar reason. The officer shall enter supporting employment documentation into the offender management system to allow for the appropriate application within

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three (3) working days.

4. Kentucky offenders supervised out of state shall receive work for time credit. The officer shall explain the work for time credit to the offender during the orientation interview or interstate transfer process. The officer shall include the work for time credit details on the interstate transfer application including the verified employment documentation required. The officer shall upload verified employment documentation upon receipt within three (3) working days into the offender management system to allow for the appropriate application.

D. Probation Education, Work for Time Credit, and Program Credit Application

1. Pursuant to KRS 439.268, any eligible probated supervised offender on community supervision prior to the effective date, shall begin to accrue probation program credits on the first day of the first month after the official effective date.
2. Credits earned while incarcerated by offenders granted the privilege of shock probation shall be removed prior to release to community supervision. Probation program credit shall accrue upon release to community supervision.
3. All eligible offenders pursuant to KRS 439.268 shall be informed by the supervising officer during the orientation and initial interview procedure about the probation credit eligibility and process. The offender shall sign and date the offender checklist to indicate the offender has understood the terms of the program.
4. Interstate Kentucky offenders who transfer out of state shall be informed about the probation credit program by the supervising officer prior to the transfer. The officer shall follow the procedure outlined in CPP 27-14-01.
5. If the offender is revoked, probation program credits accrued shall be voided.

E. Sentencing Court Notification Procedure

1. The officer shall receive an alert notification through the offender actions due report, five (5) working days prior to the ninety (90) days notification submission to the sentencing court.
2. The officer shall provide notification to the sentencing court no less than ninety (90) days, before the offender's new sentence end date calculation noted in the offender management system.

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3. Notification to the sentencing court shall be compiled as a special supervision report, under the drop down title, Probation Credit Notice, available in the offender management system. The special supervision report, Probation credit notice shall provide the type, amount of probation credit applied, and the new supervision end date with validating signatures of both officer and District Supervisor or designee. The officer shall within three (3) working days, note the date the special report was submitted to the sentencing court as a supervision contact entry within the offender management system.

F. Sentencing Court Response

1. The sentencing court judge will make the decision to allow or deny the probation program credits.
2. If no response or objections are received from the sentencing court judge within the ninety (90) days, a ten (10) working day waiting period shall commence to provide the sentencing court judge time to respond with a decision to allow or deny the program credit.
3. Pursuant to KRS 533.020(4), if the sentencing court, upon receiving the Probation Credit Notice special supervision report, does not return any objections or takes no action within in the time frame, the compliance credit shall be applied and the supervised individual shall be discharged by the end date computed in the offender management system.
4. The officer shall add a notation within three (3) working days in the supervision contact screen within the offender management system, that states, "No sentencing court objections were received and the program credits were applied."

G. Probation Program Credit Denial

1. Probation program credits shall only be applied with supporting completion documentation entered into the offender management system, with notation in the supervision contact screen of the type and verification of documentation received and entered.
2. In order to prevent the offender management system from applying probation program credits as noted in sections F. 1, 2, or 3, the officer shall enter a notation in the supervision contacts screen within the offender management system, "Probation credits denied", and provide supporting reason within three (3) working days.
3. The deduction of the probation program credits shall require District Supervisor or designee review and approval. The officer shall manually enter the reduction of the specified program credits from the supervision time line in the offender


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management system.

4. If the program credits are denied by the sentencing judge, the reason for the denial shall be entered into the supervision contacts screen in the offender management system by the officer. The supervision credits shall not be applied and the original end date shall be reactivated in the supervision time lines. The officer shall check the original end date has been reentered within three (3) working days from the date of the sentencing court decision.

H. Grievance Procedure

1. If the offender wishes to dispute the eligibility for Probation Program Credit, the offender may pursue the grievance procedure outlined in CPP 27-12-06.
2. The officer shall inform the offender during the initial orientation interview the final decision to apply probation program credits remains at the discretion of the sentencing court.

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KRS 17.554, 196.035, 197.020, 197.400 - 440, 439.340, 532.045 907 KAR 12:020 ACA 2-CO-4F-01	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).

“HSPTS” 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.

“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

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

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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 confidentiality as outlined in KRS 197.440 and this policy.

E. Recordkeeping

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

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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;
3. Attentiveness;
4. Behavior;

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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

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

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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

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

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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 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

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

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- 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;
 - (2) Human sexuality;
 - (3) Relationship skills; and
 - (4) Cycle of offending;

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- 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 period;
 - b. Disruptive or threatening behavior in sessions;
 - c. The safety of the clients or SOTP staff is threatened;

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- 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

1. The SOTP may use an adjunct staff member who is currently an employee of the Department of Corrections.

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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 of the SSC and supervising probation and parole officer.
4. Each team shall include the SSC and supervising probation and parole

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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 officer and any other team members deemed appropriate.
4. The supervising probation and parole officer may attend any session


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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.

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Authority/References KRS 196.035, 196.288, 197.020, 197.045, 202A.400, 218A, 241.010, 319.005 908 KAR 1:370 ACA 5-ACI-6A-42, 5-ACI-6C-03, 5-ACI-5E- 07, 5-ACI-5E-11, 2-CO-4F-01 CPP 27-05-02	Subject DIVISION OF ADDICTION SERVICES SUBSTANCE ABUSE PROGRAM	

I. DEFINITIONS

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

“Division” means the Division of Addiction Services.

“Substance” means any illegal substance whose purpose is to have a mood-altering effect and a drug as defined in KRS Chapter 218A or alcohol as defined in KRS 241.010.

“Volunteer” means a person, at least 21 years of age, who provides a service to the Department of Corrections in conjunction with the Substance Abuse Program and staff, and does not receive a salary for performing this service; a volunteer may include a practicum student.

II. POLICY and PROCEDURES

A. Program Description: Substance Abuse Program (SAP)

1. The program shall be approximately six (6) months in duration. The evidence based substance abuse program shall be coordinated by the Division of Addiction Services.
2. Program Components
 - a. The program shall use evidence based programming. Programming shall be regularly reviewed and revised accordingly.
 - b. Evidence based curriculum may include:
 - (1) Psycho-education about substance use disorder;
 - (2) Twelve (12) step model or secular option education;
 - (3) Relapse prevention strategies;
 - (4) Criminal thinking interventions;

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- (5) Continuum of care planning;
- (6) Random drug screening; and
- (7) Cognitive behavioral therapy.

c. A participant who receives a positive drug or alcohol test may be immediately removed from the program and placed in alternative treatment or terminated from the program. A lab test shall be conducted to confirm test results.

B. Admissions: Substance Abuse Program

The Program Administrator or Branch Manager shall review program applications. An applicant shall meet the following minimum eligibility requirements to gain admission to the program:

1. The applicant's file review indicates evidence of a substance use disorder requiring treatment.
2. The applicant shall not have received a Category 5 or above disciplinary violation within the past sixty (60) days prior to application with the exception of a category 6-14 or 6-15. An applicant who is accepted, but not yet transferred to the program, may be removed from the waiting list if he does not have the required sixty (60) days of clear conduct. An applicant with a category 3-11 or Category 4 disciplinary violation shall be reviewed by clinical staff on an individual basis.
3. An applicant applying from a prison location shall be within (36) months of parole eligibility date or minimum expiration date. An applicant applying from a jail location shall be within (24) months of parole eligibility date or minimum expiration date.
4. The applicant shall have completed required sex offender treatment programming prior to application for substance abuse treatment.
5. Ultimate discretion for admission into the Substance Abuse Program shall remain with the Division of Addiction Services.
6. The applicant shall be notified by memorandum whether or not he has been admitted into the program.

C. Co-occurring Disorder Substance Abuse Treatment Programming

Applicants for substance abuse programming are reviewed for appropriate program placement to include Co-occurring Disorder Substance Abuse Programs located at the Kentucky Correctional Institution for Women and Kentucky State Reformatory. Program referrals shall be determined by the Division of Addiction Services Branch Manager or designee. Co-occurring referrals shall be forwarded to Co-occurring Disorder Substance Abuse Programs Directors for review and acceptance

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determination. Applicants who are denied acceptance to a Co-occurring Disorder Substance Abuse Program may be reconsidered for mainstream Substance Abuse Program. Co-occurring placement and program referrals shall be indicated in KOMS. The Division of Addiction Services Branch Manager shall serve as a liaison for co-occurring programs.

1. Applicants who were previously in the Willow or Phoenix programs shall apply to the Substance Abuse Program and be reviewed by the Division of Addiction Services prior to being recommended to the Co-occurring Disorder Substance Abuse Program.
2. Terminations from the Co-occurring Disorder Substance Abuse Program shall be reviewed by a Division of Addiction Services Branch Manager and the Mental Health Authority.
3. Appeals for termination from the Co-occurring Disorder Substance Abuse Program shall be forwarded to a Division of Addiction Services Branch Manager and the Mental Health Authority.
4. Denials for Co-occurring Disorder Substance Abuse Program due to a disciplinary violation, with the exception of those referred to in section II. B. 2. shall be reviewed by a Division of Addiction Services Branch Manager.

D. Outpatient Substance Abuse Treatment Programming

Applicants for substance abuse programming shall be reviewed for appropriate program placement to include Division of Addiction Services outpatient programs. Applicants who are restricted to housing at the Kentucky State Reformatory for medical purposes may be eligible for KSR outpatient substance abuse program. Minimum-security female applicants for substance abuse programming, currently residing at Ross Cash may be eligible for the outpatient substance abuse program at Ross Cash.

E. Attendance: Substance Abuse Program

Participants shall attend all scheduled sessions. Excused absences shall not result in extended completion dates. Every effort shall be made to assist a participant with missed assignments to ensure an approximate six (6) month completion. Unexcused absences may result in a participant's termination. Participants shall make up any unexcused days and they shall be added to the completion date.

F. Discharge, Extended Treatment, Alternative Treatment, and Termination Criteria: Substance Abuse Program

A participant of the substance abuse program may be administratively granted extended treatment, alternative treatment, discharged, or terminated from the program based on the following:

1. Successful completion of all program requirements;

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2. Failure to comply with program requirements;
3. Failure to comply with program or institutional rules which results in the issuance of a disciplinary report Category 3-11 or Category 4 and above;
4. Violation of program cardinal rule that may or may not result in a conviction of an institutional disciplinary report;
5. Repeated program rule violations;
6. Prolonged placement in restrictive housing preventing program participation;
7. Voluntary withdrawal from the program;
8. Medical reasons that preclude participation in the program;
9. Violation of attendance policy; or
10. Testing positive for drugs or refusing a drug test.

G. Appeals of Termination from the Substance Abuse Program

1. The program participant may appeal termination from the substance abuse program by submitting a written appeal to the designated branch manager or designee within seven (7) days from written receipt of the termination. The branch manager or designee shall forward a written response to the program participant within twenty-one (21) days of receipt of the appeal. The decision shall be final.
2. If a program participant is terminated from the substance abuse program, he may reapply thirty (30) days after the final termination date. Reapplication shall not guarantee readmission to the program.
3. Appeals for termination from the Co-occurring Disorder Substance Abuse Program shall be forwarded to a Division of Addiction Services Branch Manager and the Mental Health Authority.

H. Staffing Substance Abuse Program

Administrative and program staff shall require approval by the Division of Addiction Services. The institution housing the program shall provide security staff.

1. The branch manager shall oversee all residential substance abuse programs.
2. The program administrator shall oversee the residential substance abuse program and provide clinical and administrative supervision for that program.

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3. The social service clinician (SSC) assigned to the program shall conduct daily programming and perform other duties as described in personnel specifications.

I. Record Keeping

1. Treatment files shall be maintained and secured and shall include the following:
 - a. Program application;
 - b. Notice of acceptance or rejection;
 - c. Program participation agreement;
 - d. Health history;
 - e. Participant rights;
 - f. Acknowledgement of HIV education;
 - g. Criminal Justice Kentucky Treatment Outcome Study (CJKTOS);
 - h. Psychosocial assessment and discharge;
 - i. Treatment plan;
 - j. Participant progress notes;
 - k. Monthly treatment plan review;
 - l. Discharge summary and aftercare recommendations;
 - m. Release of information, if used; and
 - n. Program completion certificate or termination.
2. Upon successful completion of the program, the participant shall be given a certificate of completion. Program completion certificate and aftercare recommendations shall be entered in KOMS by the Division of Addiction Services staff within twenty-four (24) business hours. SAP jail programs shall submit SAP program completion certificates within twenty-four (24) business hours of the participant's completion date. SAP programs at Reentry Service Centers (RSC) and Recovery Kentucky Centers (RKC) shall issue and enter SAP program completion certificates into KOMS within forty-eight (48) business hours. The participant is eligible for a program good time award of ninety (90) days.

J. Utilization Review

1. The utilization review team shall consist of clinical staff that include the branch manager, program administrator, and social service clinician.
2. The program administrator shall be responsible for routine program file reviews.
3. Each participant's progress notes shall be documented weekly and treatment plans shall be reviewed monthly.

K. Quality Assurance Program

1. Participants in the Substance Abuse program shall be provided quality evidenced based substance abuse services in a setting that promotes their health, safety and well-being.

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2. The Department of Corrections Division of Addiction Services Branch Manager or his designee shall conduct an announced audit of the Substance Abuse Program annually.
3. The Quality Assurance Team shall consist of at least two (2) auditors appointed by the Division of Addiction Services Branch Manager.
4. The Quality Assurance Team shall share preliminary results with program staff in the form of a face-to-face meeting following the audit. The official finding shall be sent to the Program Director within ten (10) business days of the audit.
5. If the Quality Assurance Team identifies findings that require a plan of correction, the plan of correction shall be submitted to the Department of Corrections Division of Addiction Services within ten (10) days.


L. Community Addiction Services

1. The program shall operate as described in CPP 27-05-02.
2. A minimum of one substance abuse SSC shall be located in every Probation and Parole district.
3. All graduates from jail and institutional substance abuse programs shall be instructed to contact the community SSC upon release on parole. Probation and Parole officers shall assist in facilitating this process.
4. Community SSCs shall meet with Substance Abuse Program graduates to assist in implementing their aftercare plan and monitor the participant's progress.

M. Confidentiality: All Programs

Consistent with practices within the professional mental health and substance abuse community and federal laws, information obtained in the course of a participant's treatment shall be considered confidential. Program staff may:

1. Release information pursuant to KRS 202A.400 if there appears to be a danger to the health and safety of a participant, staff, or other person or a threat to the security of the institution;
2. Release to institution and probation and parole officials regarding that a participant had a substance abuse problem in the past; and
3. Communicate information to community treatment agencies for the purpose of planning aftercare.

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Authority/References KRS 222.005(3), 439.250, 439.268, 902 KAR 20:430, 907 KAR 15:005 908 KAR 1:370 CPP 30.4	Subject DOC APPROVED SUBSTANCE ABUSE PROGRAM PAROLE COMPLIANCE CREDITS AND PROBATION PROGRAM CREDITS	

I. DEFINITIONS

“Alcohol and other drug treatment entity” or “AODE” is defined by 908 KAR 1:370 Sec. 1(3).

“Approved provider or approved program” means any AODE, BHSO, or psychiatric hospital licensed program, Behavioral Health Multi-Specialty Group, hospital that has licensed chemical dependency beds, or hospital with licensed psychiatric beds designated for co-occurring disorder clients that provides treatment for substance use disorder and has agreed through a fully executed non-financial Memorandum of Agreement (MOA) to provide the Department of Corrections (DOC) with ongoing documentation of program compliance and progress of a supervised individual who is on probation or parole and has been approved by the DOC.

“Behavioral Health Multi-Specialty Group” is defined by 907 KAR 15:005.

“Client” means an offender under probation and parole supervision who is participating or seeking to participate in a treatment program to receive parole compliance credit and probation program credit.

“Evidence based curriculum” means practices that have been vetted through rigorous research.

“Memo of Understanding” or “MOU” means a document that describes the broad outlines of an agreement that two or more parties have reached and communicates the mutually accepted expectations of all parties involved in the agreement.

“Parole compliance credit” is defined by KRS 439.250.

“Probation program credit” means a sentence credit for a supervised individual who is on probation, probation with an alternative sentence, or conditional discharge for education credit, program completion credit, or work-for-time credit.

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II. POLICY and PROCEDURE

The program shall be a recognized Kentucky Department of Corrections (DOC) approved substance use disorder service provider whose treatment programming meets criteria allowing DOC to grant parole compliance credit and probation program credit. Programs who are interested in becoming a DOC approved providers shall follow the application process. Accepted programs shall be maintained on the DOC approved provider list that shall be available for review on the DOC website and used by Probation and Parole staff and Addiction Services clinicians. The providers on the DOC approved provider list shall be qualified to receive referrals to administer evaluations, treatment, and assessment services to clients on misdemeanor supervision, pre-trial diversion, probation, mandatory reentry supervision (MRS), and parole and are statutorily eligible may receive parole compliance credit and probation program credit upon the completion of the program.

A. Program Approval Criteria

The following criteria shall be met for a program to be eligible to become an approved program. The program shall:

1. Have a current site-specific AODE license issued by the Cabinet for Health and Family Services (CHFS) and shall be in good standing with their AODE licensure by complying with and maintaining all requirements in 908 KAR 1:370. A current site specific BHSO license issued by the Cabinet for Health and Family Services (CHFS) and shall be in good standing with their BHSO licensure by complying with and maintaining all requirements in 902 KAR 20:430. An agency site license shall not be accepted. A psychiatric hospital license issued by CHFS, a hospital that has licensed chemical dependency beds, or a hospital with licensed psychiatric beds designated for co-occurring disorder clients or a Behavioral Health Multi-Specialty Group shall also meet program approval criteria.
2. Use an evidence based curriculum approved by the DOC.
3. Meet one of the following levels of the American Society of Addiction Medicine criteria:
 - a. Level II-intensive outpatient treatment/partial hospitalization;
 - b. Level III-residential clinically managed/medically monitored intensive inpatient treatment; or
 - c. Level IV-medically managed intensive inpatient treatment

B. Application Process

An applicant shall complete and submit an application for review to the Division of Addiction Services and provide:

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- a. Documentation of all program staff education and verification of any professional license or certification related to counseling;
- b. A current site-specific AODE, BHSO, or psychiatric license issued by CHFS, verification of being a Behavioral Health Multi-Specialty Group;
- c. Documentation of current treatment plan; and
- d. A list of all program staff, including administrative staff not involved in the provision of treatment.

C. Appeal for Denial of Application

1. If the application is denied approval, a program may appeal the decision in writing within thirty (30) calendar days of receipt of the denial. A program may provide additional supporting documents in its appeal request to the DOC. The appeal shall be reviewed and a decision shall be rendered within thirty (30) calendar days. A program shall be notified of the decision in writing. A program shall be allowed one (1) appeal per calendar year.
2. Applications and appeals shall be submitted by mail or email to the following address:

Kentucky Department of Corrections
Division of Addiction Services
Sarah Johnson, Director
P.O. Box 2400
Frankfort, KY 40601
SarahG.Johnson@ky.gov

B. Parole Compliance Credit and Probation Program Credit

The amount of parole compliance credit or probation program credit earned shall be based on the length of the client's time in the treatment program. A client's absence shall be considered when calculating the duration of treatment. A client shall be in compliance with the program requirements for completion and the client's ongoing supervision with Probation and Parole to receive parole compliance credit or probation program credit.

1. Parole compliance credit or probation program credit may be awarded based on days in the program as follows:
 - a. 28 days – 59 days = 30 days of parole compliance or probation program credit.
 - b. 60 days – 89 days = 60 days of parole compliance or probation program credit.

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- c. 90 days – 180 days = 90 days of parole compliance or probation program credit.

2. Appeal Process for Clients

The client shall have fourteen (14) days to submit an appeal in writing to the DOC. If the appeal is granted, the DOC may request that the client return to the treatment agency from which the client was terminated or may elect to send the client to a new agency to complete the remainder of the program. A designated DOC staff shall determine the amount of parole compliance credit or probation program credit the client is eligible to receive.

3. Discharged and Terminated Clients

If a client is discharged or terminated, the program shall provide a copy of any discharge or termination of a client within seven (7) business days. Terminations may be sent through United States Postal Service, email, or other agreed upon communication with the client. A discharge or termination letter shall include a statement detailing the DOC appeal process.

- C. Accountability

An approved program shall provide to the DOC monthly reports and timely communication and program completion certificates in order for a client to be eligible to earn parole compliance credit or probation program credit. The DOC shall provide the format for the monthly report. An approved program shall submit its monthly report by the fifth (5th) of the following month.

1. A monthly report shall include:
 - a. Attendance and absences of clients;
 - b. Drug tests dates and results for clients;
 - c. Program participation status: completions, terminations, discharges- (administrative and referrals for additional services);
 - d. Client progress;
 - e. Clients on medications for addiction treatment participation with dates of injections;
 - f. Approval of Medicaid or insurance status;

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- g. Significant clinical staff change;
 - h. Number of DOC clients;
 - i. Number of DOC intakes;
 - j. Referrals to an additional level of care; and
 - k. Satisfaction survey results.
2. An approved program shall provide a DOC client with a satisfaction survey at least once during the client's participation.
3. An approved program shall inform the DOC of grievances filed by DOC clients and shall allow the DOC to review and address grievances as deemed necessary.
4. An approved program shall notify the DOC of the appropriate referral process, paperwork, and contact person for referring clients for services.
5. An approved program shall allow representatives from the DOC to visit the program for a review of services as deemed necessary.
6. An approved program shall provide discharge summaries that include terminations, completions, and referrals to other levels of care.
7. An approved program shall have the contact information for the DOC ombudsman clearly posted or easily accessible to all DOC clients in the program.
8. During the intake process, an approved program shall obtain a release of information authorizing communication with the client and DOC.
9. An approved program shall use an evidence based assessment instrument and ensure that all clients meet the criteria for admission into the program for services.
10. If an approved program finds that a client in the program is on supervision with the DOC, it shall notify the DOC to determine if the client is eligible for parole compliance credit or probation program credit.
11. An approved program that cannot accommodate a client's needs shall refer the client to the program of his choice for education or treatment and refrain from referring a client to level of care that is not in the client's best interest.
12. The program shall notify the DOC of any changes in a client's recommended level of care.

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13. An approved program shall not keep a client in treatment longer than is necessary to address the client's treatment and recovery needs.
14. An approved program shall not knowingly present false or misleading information to a client or misrepresent the policies of the DOC.
15. An approved program shall not engage in unethical practices and shall abide by the code of ethics set forth by the Kentucky Board of Alcohol and Drug Counselors.
16. An approved program shall comply with applicable Federal civil rights laws and shall not discriminate based on race, color, national origin, age, disability, or sex, including discrimination based on pregnancy, gender identity and sex stereotyping. A program shall not exclude people or treat them differently because of race, color, national origin, age, disability, or sex, including discrimination based on pregnancy, gender identity and sex stereotyping.
17. An approved program shall notify the DOC immediately of changes in its AODE, BHSO, psychiatric license, or Behavioral Health Multi-Specialty Group status or deficiencies that may affect a program from providing services to clients.
18. Program staff on active supervision with Probation and Parole shall not oversee drug screens, attendance records, charts, reports, terminations, or other matters that could potentially negatively impact treatment or supervision status.
19. Program staff on active supervision with Probation and Parole may function in a leadership role with others who are not on active Probation and Parole supervision.
20. Staff in a leadership role may participate in such duties once they successfully complete Probation and Parole supervision.

D. Program Referral of Clients

A list of approved programs shall be maintained for all DOC clients to choose treatment programs. The DOC shall not require that a client choose a specific provider if the client is self-pay. Upon selection of a provider, a client shall be advised that completing treatment with an approved provider may allow parole compliance credit or probation program credit that may be applied toward the client's sentence by the DOC.

E. Dissolution of the Agreement and Non-Compliance


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1. The program or DOC may choose to end the agreement and remove the program from the DOC approved program list at any time. Each party shall abide within the terms of the Memo of Understanding. The DOC may immediately remove any program if issues with compliance are substantiated.
2. Causes of immediate dissolution of the MOU may include:
 - a. AODE, BHSO, or psychiatric license is removed;
 - b. Staff misconduct;
 - c. Ethics violations;
 - d. Discrimination;
 - e. Failure to communicate with KDOC within thirty (30) days;
 - f. Failure to submit program monthly reports;
 - g. Failure to submit client monthly reports; or
 - h. Failure to submit timely discharges.
3. If non-compliance is indicated, the DOC shall provide an approved program with notice of intent to remove as an approved program and shall allow an appeal. A program choosing to appeal the decision, shall have thirty (30) calendar days to submit written documentation of request for reconsideration of the removal as an approved program. During the pending appeal process, a program shall be removed from the approved list. If the program is removed from approved status, a designated DOC staff shall notify active clients that their parole compliance credit or probation program credit may be affected. The client shall have the opportunity to remain in the program or may request to be referred to a similar program. The appeal shall be reviewed and a decision shall be rendered within thirty (30) calendar days of receipt. A program shall be notified of the decision in writing.
4. A program that is denied an appeal may submit its appeal by United States Postal Services or email to the following addresses.

Kentucky Department of Corrections
Division of Addiction Services
Sarah Johnson, Director
P.O. Box 2400
Frankfort, KY 40601
SarahG.Johnson@ky.gov

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- F. A program that is removed from the list, may choose to apply in the following calendar year after the deficiencies have been addressed. If a program chooses not to apply or reapply for DOC approval shall not prevent DOC clients from receiving private pay services from any AODE program that is licensed by CHFS. It will only affect the eligibility of the clients to parole compliance credit or probation program credit for the completion of the program.

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	MAY 15 2024	
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Authority/References KRS Chapter 218A, 532.120	Subject PRETRIAL SUBSTANCE ABUSE PROGRAM (PSAP)	

I. DEFINITIONS

“Pretrial Substance Abuse Program (PSAP)” means a Substance Abuse Treatment Program offered by the Department of Corrections (DOC) Division of Addiction Services, which allows defendants who may not otherwise have the opportunity to address substance use disorder to do so in a treatment program at a jail.

II. POLICY and PROCEDURE

The purpose of the PSAP program is to place defendants with substance use disorder in an intensive secured substance abuse recovery program within a jail.

A. PSAP CRITERIA and ELIGIBILITY

To be considered eligible for PSAP, a defendant shall:

1. Be charged with a Class C or D felony under KRS 218A; or
2. Show a history of substance use disorder as determined by an assessment, and be charged with any Class C or D felony, not just those under KRS 218A;
3. Shall not have a felony conviction in Kentucky or any other state within the last ten (10) years;
4. Shall not be on probation or parole supervision;
5. Shall not be severely mentally ill or have medical issues that cannot be addressed at a jail; and
6. Shall not have a prior conviction or current charge for a sex offense.

B. PSAP PROGRAM ACCEPTANCE

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1. A defendant deemed by Pretrial Services, the Department of Public Advocacy, the Commonwealth Attorney, or other involved party to be a candidate for PSAP participation shall be referred to the Department of Corrections (DOC) with a request for a PSAP assessment to be completed. The referring party shall obtain a signed Release of Information from the defendant and provide to DOC prior to the assessment being completed.
2. DOC staff shall complete the PSAP assessment or request the assessment to be completed by SAP staff at the prospective facility where the defendant may be placed for treatment. DOC staff shall notify Pretrial Services or other requesting party whether the defendant is approved or denied for PSAP placement.
3. Pretrial Services or the requesting party shall notify the court of the results of the assessment, if the defendant is approved by the court for PSAP participation, Pretrial Services shall notify the DOC and request that a bed be arranged for the defendant.
4. The DOC shall arrange the bed date and facility for the defendant depending on availability and notify Pretrial Services or the requesting party of this information for the drafting of a court order for PSAP completion and for a transport order, if transport is needed.
5. An agreed order from the court stating that the defendant is approved to enter the PSAP treatment program shall be received before the defendant is allowed entry into the program.
6. If treatment is arranged at a facility other than where the defendant is originally housed, a transport order shall be required from the court to allow the jail or designated jail representative to transport the defendant to the designated program arranged by DOC. The court will determine the conditions of the defendant's release or return to the original jail upon completion of PSAP.
7. The defendant's program start date and program information shall be entered into the Kentucky Offender Management System (KOMS) upon arrival at the jail. The facility shall confirm the defendant's admission to their program with the DOC and send all pertinent information. Pertinent information shall include: name, date of birth, Social Security number, race, gender, and county of charges/referring court, entry date, and corresponding case number(s).
8. Upon completion of the PSAP program, the defendant shall be issued a PSAP completion certificate and aftercare plan.


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C. PSAP Documentation in KOMS

Once electronic documentation is received from a jail SAP program that a PSAP participant has entered their program, staff from the Division of Addiction Services shall enter the PSAP participants demographic and location information into KOMS. Once the PSAP participant completes treatment at the jail, staff from the Division of Addiction Services shall enter the certificate of program completion into KOMS.

D. Application of Credit

1. Upon completion of a PSAP program, program staff shall upload the completion document into KOMS within three (3) working days.
2. If applicable, program sentence credit shall be awarded pursuant to KRS 532.120(6).

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Authority/References KRS Chapter 218A, 196.035, 197.020, 241.010 CPP 30.6	Subject SUPPORTING OTHERS IN ACTIVE RECOVERY (SOAR) PROGRAM	

I. DEFINITIONS

“SMART Recovery” means self-management and recovery training through the SMART approach, a secular and science-based program that uses cognitive behavioral therapy.

“Substance” means any illegal substance whose purpose is to have a mood altering effect and a drug as defined in KRS Chapter 218A or alcohol as defined in KRS 241.010.

“Supporting Others in Active Recovery (SOAR)” means an evidence based program focused on relapse prevention, education, re-entry skills, and based on the Therapeutic Community Model.

“Treatment plan” means an agreement between client and staff to address services that meet the needs of an individual client.

II. POLICY and PROCEDURES

A. Program Description: Supporting Others in Active Recovery (SOAR)

1. The SOAR program provides an opportunity for clients to stay in a recovery based environment while giving back to the community. Clients receiving services for substance use disorder while incarcerated and continuing the same treatment upon entry into SOAR ensure a continuum of services until release. SOAR shall offer programming and evidence based curriculum that focuses on relapse triggers, employment, parenting, anger management, and educational needs.
2. SOAR clients shall have an assigned Social Service Clinician (SSC) who shall ensure each client has a treatment plan.

B. Admissions: SOAR Program

1. The Division of Addiction Services shall review all applications, maintain a waiting list, and place applicants from the SOAR waiting list. An applicant shall meet the following minimum eligibility requirements to gain admission to the program:

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- a. The applicant shall have completed the recommended Substance Abuse Program (SAP).
 - b. If an applicant is currently enrolled in or has completed an MRT program, he may apply for SOAR if not recommended for SAP. The application shall be reviewed by the Division of Addiction Services to ensure the client is not appropriate for long term treatment.
 - c. If evidence of substance use after program completion, placement shall be determined by the Division of Addiction Services staff. The client may be placed on a refocus or recommended reentry into SAP.
 - d. An applicant shall have 60 days clear conduct for a Category 4 or above and Category 3 Item 11.
 - e. If recommended to complete the Sex Offender Treatment Program (SOTP), an applicant shall complete all requirements of SOTP prior to applying for SOAR.
 - f. An applicant shall not have a break in custody since SAP or MRT completion.
 - g. Client shall meet classification requirements to be housed in the SOAR program.
2. Jail SOAR programs may admit clients who are currently serving an alternative sentence. Alternative Sentence clients shall be approved by the Division of Addiction Services prior to entry.
 3. Admission to the SOAR program shall remain with the Division of Addiction Services.
 4. The applicant shall be notified by memorandum of acceptance or denial of the SOAR application.
- C. Participation Requirements: SOAR Program
1. Clients shall be assigned a treatment plan to ensure all recommendations are followed.
 2. Clients shall follow all treatment plan recommendations assigned by the SOAR treatment team.
 3. If a client is determined appropriate for SOAR after a relapse has occurred, the client shall be required to follow a refocus contract for a minimum of

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thirty (30) days. Upon successful completion of the refocus contract, the client shall be permitted to begin the SOAR curriculum. If the client is unsuccessful on the refocus contract, the client may be referred to complete SAP.

4. Clients shall be willing to follow accountability requirements.
5. Clients shall display respect for staff, program clients, and the therapeutic community.
6. Disciplinary convictions may result in discharge from the program.
7. Clients shall attend all mandatory community meetings.
8. Clients shall be randomly drug screened. Any positive drug screen shall result in discharge from the program and may result in a recommendation for reentry into the substance abuse program.
9. Clients shall complete ten (10) hours of community service a month. Volunteer hours shall require approval by SOAR staff.
10. Once a client completes the SOAR curriculum, the client may be required to maintain employment and if not employed, shall be required to attend a vocational or GED program.
11. Clients shall be required to attend Narcotics Anonymous, Alcoholics Anonymous, or SMART Recovery meetings weekly.
12. Clients may be required to participate in at least one (1) additional evidence-based program if recommended by SOAR program staff.
13. Clients without a GED or high school diploma may be required to enroll in GED instruction while enrolled in SOAR.
14. Clients shall maintain clean bed areas at all times.
15. Clients shall maintain appropriate dress code at all times.
16. Clients who violate program or facility rules may result in an accountability, disciplinary, or discharge from the SOAR program.

D. Attendance: SOAR

Clients shall attend all schedule sessions. Excused absences shall not result in extended completion dates. Every effort shall be made to assist a client with missed assignments to ensure an approximate six (6) month completion. Unexcused

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absences may result in client termination. Clients shall make up any unexcused days and they shall be added to the completion date.

E. Discharge and Termination Criteria: SOAR Program

1. A client of the SOAR program may be ~~administratively granted extended treatment, alternative treatment, discharged or terminated from the program~~ based on the following:
 - a. Successful completion of all program requirements including the My Ongoing Recovery Experience (MORE) curriculum;
 - b. Failure to follow treatment team recommendations;
 - c. Violation of program cardinal rule that may or may not result in a conviction of a disciplinary report;
 - d. Failure to comply with program or institutional rules which results in the issuance of a disciplinary report Category 3-11 or Category 4 and above;
 - e. Repeated program rule violations;
 - f. Voluntary withdrawal from the program;
 - g. Violation of attendance policy;
 - h. Testing positive for drugs, alcohol, or refusing a drug test; or
 - i. Dismissal from assigned job or recommended program.
2. A client with a change in custody level shall be required to be housed at facility.

F. Appeals of Termination: SOAR Program

1. The client may appeal termination from the SOAR program by submitting a written appeal to the designated branch manager or designee within seven (7) days from written receipt of the termination. The branch manager or designee shall forward a written response to the client within twenty-one (21) days of receipt of the appeal. The decision shall be final.
2. If a client is terminated from the SOAR program, he may reapply thirty (30) days after the final termination date. Reapplication shall not guarantee readmission to the program.

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G. Staffing: SOAR Program

1. Administrative and program staff shall require approval by the Division of Addiction Services. The facility housing the program shall provide security staff.
2. The Division of Addiction Services staff shall oversee all SOAR programs.
3. The program administrator or program director shall oversee the SOAR program and provide clinical and administrative supervision for that program.
4. The social service clinician(s) (SSC) assigned to the program shall conduct daily programming and perform other duties as described in personnel specifications.

H. Record Keeping

1. Treatment files shall be maintained and secured and shall include the following:
 - a. Program application;
 - b. Program participation agreement;
 - c. Client rights;
 - d. Criminal Justice Kentucky Treatment Outcome Study (CJKTOS) psychosocial assessment and discharge completed while in SAP;
 - e. Treatment plan;
 - f. Client progress notes;
 - g. Monthly treatment plan review;
 - h. Discharge summary and aftercare recommendations;
 - i. Release of information if used; and
 - j. Program completion certificate or termination.
2. Upon successful completion of the program requirements including primary curriculum, MORE, the client shall be given a certificate of completion. Program completion certificate and aftercare recommendations shall be entered in KOMS by the Division of Addiction Services staff within twenty-four (24) business hours. SOAR jail programs shall submit SOAR program completion certificates within twenty-four (24) hours of the clients completion date.
3. SOAR graduates may be housed in a SOAR dorm after successful completion of the program components including the completion of the primary curriculum, MORE. SOAR graduates shall continue to follow all program rules, display prosocial behaviors, and remain actively involved in

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programing. Program staff shall discharge any SOAR graduate who demonstrates unhealthy behaviors or violates program or facility rules.

4. SOAR graduates who remain housed in the SOAR dorm shall not be eligible for additional program good time credit upon successful completion of the initial program requirements for SOAR including the evidence based MORE curriculum.