

 <p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
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Authority/References KRS 196.035, 197.020, 197.045, 197.110, 197.120, 197.170, 197.180, 439.580, 439.590, 439.600, 439.610, 440.010(1), 441.005, 520.010, 520.030, 520.040; ACA Standards 4-4302, 4-4303, 4-4304, 4- 4305, and 4-4306 P&P ACA 2C-04, 2C-05 CPP 9.9, 15.3, 28-03-02	Subject COMMUNITY SERVICE CENTER PROGRAM AND JAIL PLACEMENT	

I. DEFINITIONS

"Director of Population Management" means the supervisor who approves an inmate for placement in jails and in halfway house facilities throughout the state.

"Community Service Centers" means jails, halfway houses, and residential treatment facilities that house state inmates and parolees.

"Deferment" means a Parole Board action in which the final decision concerning parole for an inmate is continued for a certain number of months.

"Escape" is defined in KRS 520.010(5).

"Halfway house" means a residential facility, located in the community, which provides services to felons, probationers, parolees, and pre-release offenders.

"Jail" means a jail as defined by KRS 441.005(1) or a regional jail as defined by KRS 441.005(7).

"Meritorious Good Time" means a sentence credit that may be awarded at the discretion of the Commissioner or his designee not to exceed seven (7) days per month pursuant to KRS 197.045(1)(b)(2).

"Parolee" means a person who has been released from a correctional facility to parole.

"Probationer" means a person convicted but not yet imprisoned, on the conditions of continued good behavior and regular reporting to a probation officer.

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"Reintegration" means the process of preparing both community and offender for his return as a productive and accepted citizen.

"Relative" is defined in KRS 439.580(5).

"Statutory Good Time" means a sentence credit that may be awarded pursuant to KRS 197.045(1)(b)(1).

II. POLICY and PROCEDURES

Kentucky Department of Corrections shall administer the community service center program to divert an offender from an institution and reintegrate him into society. An individual in the program shall be serving a felony sentence in a local jail, halfway house, or residential treatment program under contractual agreement with the Department of Corrections.

A. An inmate meeting the following criteria may be recommended for transfer to a community service center. An inmate shall:

1. Qualify for community custody as established by the Corrections Classification Manual;
2. Remain in the program a minimum of thirty (30) days; and
3. Be physically and psychologically capable of functioning in the community service center without ongoing professional intervention.

B. Parolee and Probationer Placements

1. Parolees selected for placement in a halfway house program as a graduated sanction shall be approved by a supervisor. Placement in a halfway house program shall be assigned by the Community Placement Office.
 - a. Parolees participating in a halfway house program shall be allowed a maximum stay of one hundred-twenty (120) days in a halfway house facility.
 - b. If unusual circumstances exist, extensions may be granted in thirty (30) day intervals with written justification submitted to the Division of Probation and Parole for final approval.
2. If bed space is available, probationers may participate in a halfway house program with a maximum stay of six (6) months in a halfway house facility.

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C. Placement Priorities

1. Each offender's eligibility and needs assessment shall dictate the appropriateness of a community service center placement as a graduated sanction or reintegration mode of case management.
2. Priority shall be given to:
 - a. Qualified parolee
 - b. Offender qualified for SAP program
 - c. Qualified inmate

D. Community Service Center Transfer Process

1. An inmate transfer to a community service center shall be coordinated by the Division of Probation and Parole in conjunction with the Classification Office.
2. If an inmate is transferred to a community service center, the medical record shall be sent to the receiving jail or halfway house.
3. An inmate transferred to a community service center shall bring all personal belongings with him.
4. The offender record shall be maintained in the offender management system by Offender Information Services staff. If transferred, the inmate's money shall be sent to the appropriate personnel at the community service center.

E. Transfers from Community Service Centers

1. An inmate in the community service center may be transferred back to an institution. The reason for a transfer may include medical problems, disciplinary problems, protective custody needs and parole deferments. In all cases, a transfer shall require approval by the Director of Population Management.
2. If immediate action is required, the Probation and Parole Officer shall contact and advise the Community Service Center Coordinator or designee of the need for transfer.

F. Annual Inmate Photographs

A new photograph shall be taken annually of each state inmate in a halfway

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house. The updated photograph shall be obtained on the anniversary date of the inmate's conviction. The photograph shall be immediately placed in the offender management system.

G. Transportation from Community Service Centers

1. An inmate in the community service center shall be transported by community services center personnel as the need arises. This may include Parole Board hearings, shock probation hearings, and transfers back to an institution.
2. If the Department of Corrections transports a halfway house inmate, officers shall follow transportation procedures outlined in CPP 9.9 (Transportation of Offenders).

H. Disciplinary Problems

1. A community service center inmate shall be subject to the rules of conduct particular to each community service center in addition to the Department of Corrections' policies and procedures. Community service center sanctions shall be used for internal control; however, an offense which may result in segregation and statutory loss of good time shall be documented and the inmate transferred back to an institution. A community service center occurrence report describing the nature of the occurrence and a summary of the investigation shall be uploaded into the offender management system by Probation and Parole staff. A disciplinary transfer shall require approval by the Community Service Center Coordinator or designee.
2. The community service center occurrence report shall include:
 - a. The date and time of the incident;
 - b. A listing of the personnel involved;
 - c. A detailed summary of the nature of the occurrence described by the person who witnessed the incident including the jail staff, halfway house staff, or work supervisor;
 - d. A summary of the investigation described by the Probation and Parole Officer or Supervisor who did not witness the incident; and
 - e. Any necessary documentation attached to the report.

I. Community Service Center Release Procedures

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Proper care shall be given towards the handling of the legal release of an inmate in the community service center program.

1. Court Order Shock Probation

- a. Application: The Probation and Parole Officer shall facilitate contact with the local Public Advocate's Office concerning an application for court ordered shock probation, legal problems and questions the community service center inmate may have.
- b. Transportation: The local Probation and Parole Officer shall provide transportation for a verified court order to produce the inmate for a shock probation hearing. Prior to the hearing the Probation and Parole Officer shall review available information to ascertain whether the inmate is serving a sentence from another court or has a detainer.
- c. Release: If an order to release an inmate is received through the mail, fax, or any other method it shall be forwarded to Central Office Offender Information Services for review. The Circuit Court Clerk's office shall be contacted by Central Office Offender Information Services to verify the order upon advisement that shock probation has been granted. Upon authorization that the inmate may be released per the court order, Central Office Offender Information Services shall notify the Community Service Center operator and Probation and Parole Officer as well as forward a Notice of Discharge and advise of any detainers that may be present. A copy shall be taken to the center operator by the Probation & Parole Officer and the inmate advised of any stipulations concerning the probation. If the Probation and Parole Officer is unable to be present at the center, a telephone call may be made to the center operator advising him to release the particular inmate.

2. Parole Release

- a. Every effort shall be made by the Probation and Parole Officer to assist the inmate in seeking employment and home placement.
- b. An inmate recommended for parole shall be released on parole pursuant to procedures outlined in CPP 28-03-02 (Release on Parole). Once the parole papers are received, the Probation and Parole Officer shall instruct the parolee to sign the certificate and issue the original copy to the parolee. The signed parole certificate and notice of discharge shall be documented in the offender management system.

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3. Expiration Release

For a release upon expiration of sentence, Central Office Offender Information Services shall authorize an inmate's release by forwarding a notice of discharge to the Community Service Center operator and Probation and Parole. Notice of the inmate's release shall be made by Offender Information Services pursuant to KRS 197.170.

J. Escape

An inmate who does not return from furlough or who escapes from a community service center shall be prosecuted for escape. The following procedures shall be carried out to ensure the apprehension of the escapee in a timely and well organized manner.

1. Responsibility of the Jailer or Halfway House Director

a. Within one (1) hour of the escape, the Jailer or Halfway House Director shall provide notification to:

- (1) The Probation & Parole Officer
- (2) Victim Information Notification System (VINE)
- (3) Local law enforcement and state police, and
- (4) Central Office staff and Community Service Center Coordinator or designee.

b. Prepare an extraordinary occurrence report within twenty-four (24) hours and submit it to the Community Service Center Coordinator or designee and enter documentation in the offender management system.

2. Responsibilities of the Community Service Center Coordinator

a. Upon notification of details of escape, submit all information regarding the escape to Adult Institutions to be distributed to the proper authorities.

b. Immediately provide notice to Central Office Local Facilities staff for warrant entry into the National Crime Information Center (NCIC).

c. If an inmate is released erroneously from a halfway house or jail

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prior to the service of his sentence, the Community Service Center Coordinator shall secure a warden's warrant for escape as provided in KRS 440.010(1) from the designated Local Facilities staff.

- d. If the escapee has relatives in other states or it is known that the escapee is heading to another state, assistance in apprehending the escapee may be obtained through the United States Attorney or local law enforcement. A request for assistance may include a copy of the escape flyer and other pertinent information like relatives, addresses, city and state.
- e. A notice of discharge showing that the inmate was discharged by escape shall be prepared by Offender Information Services and uploaded to the offender management system. Notice of the inmate's release shall be made pursuant to KRS 197.170.

K. Apprehension of Escapee

1. Once the escapee is apprehended, the Community Service Center Coordinator or designee and the District Supervisor shall be notified. Additionally, the escapee's name shall be removed from NCIC and VINE.
2. If the probation and parole officer is successful in apprehending an escapee, the escapee shall be returned directly to a designated secure institution.
3. If the escapee is apprehended by a local official on the county's escape warrant, the escapee shall be lodged in the local jail. The Probation and Parole Officer shall immediately lodge a detainer and request a copy of the warden's warrant. Upon receipt of the warrant, the detainer shall be removed and the warrant lodged as the detainer. Additionally, the date the detainer is withdrawn shall be marked on the detainer stub.
4. Upon apprehension, the Warrants & Extradition Office shall provide escape apprehension notification to Adult Institutions, Offender Information Services, Classification, and Probation and Parole.
5. Upon notification, Classification shall reclassify the offender to a designated secure local facility or direct transfer of the inmate to an appropriate secure institution if statutorily ineligible for housing in a local facility as the inmate's classification allows. The offender shall be transported by the Department of Corrections. If local charges are incurred with apprehensions, the offender may be transferred to an institution with a detainer filed.

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6. If the escapee is apprehended out of state, the Warrants & Extradition Office, in conjunction with the Community Service Center Coordinator or designee, shall coordinate and schedule return arrangements. The escapee shall sign a waiver of extradition before arrangements may be completed for return or else an extradition proceeding shall be made through the Governor.
7. If the escapee is apprehended, the Community Service Center Coordinator or designee shall have the warden's warrant returned and placed in the inmate file.
8. Upon notification that an escapee has been apprehended, the Community Service Center Coordinator, through Adult Institutions, shall notify the proper authorities, including Classification, Adult Institutions, Administrative Services, and Offender Information Services.
9. All documentation regarding the offender's apprehension shall be uploaded in the offender management system.

L. Medical Needs of Community Service Center Inmates

1. An inmate classified to a community service center shall be capable of functioning without significant ongoing professional intervention for physical or psychological problems. If the need for ongoing intervention develops, the inmate may be returned to an appropriate institution.
2. The day-to-day minor medical needs shall be handled by the center operator in the same fashion as his general population.
3. An immediate need shall be taken care of by the center with notification to the Probation and Parole Officer assigned to the center.
4. In most cases, medical needs may be handled by the available local health services. The Community Service Center Coordinator or designee shall work closely with the Department's Medical Services and provide direction concerning requests for medical care which are not of an immediate nature and cases in which local medical personnel recommend hospitalization.
5. Bills for hospital admission shall be sent to the Department of Correction's administrative billing services and the Department's contracted medical services provider.
6. The Department's Medical Services shall provide direction as to what action shall be taken.

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M. Utilization of Community Service Center Inmates for Work Projects

1. An inmate in the community service center may be utilized for governmental work projects. These activities shall be supervised by a specific individual and shall represent a community rather than a personal need or benefit. An inmate shall not work in private enterprises or in an activity that may be considered particularly dangerous.
2. A new work site shall be approved through the Probation & Parole Office, Community Service Center, and the Community Service Center Coordinator.
3. The work supervisor shall sign the Supervision Guidelines for community service center inmates and shall complete a work site supervisor training. Each community service center inmate assigned to a work crew shall sign the Work Experience Code of Conduct.

N. Work Crew Rules

The following work crew rules shall be followed at each community service center:

1. A log shall be maintained at each community service center documenting departure and arrival of each inmate from the center and his assigned work supervisor;
2. One (1) regular supervisor shall be assigned for each inmate crew;
3. An inmate shall not be allowed to visit with a friend or relative while working on an outside detail;
4. While on work detail, the inmate shall remain in his assigned work area;
5. An inmate shall not be paid by an organization or person other than the Department of Corrections for community service work;
6. Misconduct, fighting, stealing, leaving the work site without supervision, or possession of contraband shall be reported to the Jailer, Community Service Center, and Community Service Center Coordinator immediately;

O. Meritorious Good Time

An inmate may be eligible for an award of meritorious good time in accordance with Corrections Policy and Procedure 15.3.

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P. Community Center Monthly Report

The Community Service Center shall prepare a monthly report to be sent to the Community Service Center Coordinator, District Probation and Parole Office Supervisor, and Branch Manager.

Q. Probation and Parole Officer's Responsibilities

The Probation and Parole Officer shall coordinate and monitor the community service center program to insure compliance with Corrections Policies and Procedures, contractual requirements, and rules pertaining to the community service center program. The Probation and Parole Officer shall:

1. Facilitate furloughs for community service center residents except as otherwise provided;
2. Assist in transportation;
3. Coordinate transfers for parolees from the community service center;
4. Assist the community service center in obtaining work, educational, and recreational programs that benefit the community service center inmate;
5. Make recommendations to the Jailer Community Service Center Director or designee as to the appropriate work assignments for the inmate;
6. Meet a minimum of once each week with the Jailer, Community Service Center Director, or designee regarding the community service center program;
7. Check the jail log weekly to determine the arrival and departure of the inmate on work assignment, furlough, or other approved release;
8. Visit the work site twice per month to insure inmates are properly supervised;
9. Coordinate annual training of work supervisors and training for new supervisors prior to being assigned inmates;
10. Check to insure that the work supervisor has signed and understands the work supervision guidelines;
11. Check to insure that the community service center inmates have signed and understand the work code of conduct;

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12. Schedule a weekly time period at the facility to be available to meet with the inmate as needed;
13. Review monthly community service center reports;
14. Maintain documentation of all contacts with the community service center offenders;
15. Forward written reports to the District Supervisor or designee of violations regarding compliance with contractual agreements and rules for the community service center program;
16. Provide notification to the Classification Branch if an inmate is removed from the community service center on violations and returned to custody; and
17. Perform other related duties as assigned.

R. Responsibilities of the Jailer or Community Service Center Director

The Jailer or Community Service Center Director to ensure public safety shall provide adequate supervision and close monitoring of the community service center inmates. In order for the program to be successful in the local community and statewide, the following minimum requirements shall be met by the Jailer or Community Service Center Director. The Jailer or Community Service Center Director or designee shall:

1. Provide the inmate with a copy of the rules regarding the community service center program;
2. Consult with the Probation and Parole Officer concerning the inmate job assignment and advise the Probation and Parole Officer of a change in the work assignment;
3. Visit each work site a minimum of twice each month to ensure proper work supervision and document the visit in a log;
4. Meet with the work supervisor biannually to review work assignments, disciplinary problems, and supervision requirements;
5. Work to minimize contact between a community service center inmate and the general public except on a supervised work detail or approved supervised recreational activity;
6. Coordinate and schedule contact visitation, work details, use of exercise, and multi-purpose areas; and

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7. Ensure that the community service center inmate is properly supervised by trained staff if outside the security of the jail or halfway house for a purpose other than a normal work assignment. An adequate staff to inmate ratio shall be maintained to ensure proper supervision based on the security needs. Outside activities shall be approved by the Halfway House Coordinator.