

 <p>KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	Date Filed	Effective Date
Authority/References KRS 11A.005 - 11A.045, 18A.140, 196.030, KRS 196.035, 439.470, 439.600, 439.630 P & P ACA 2G-01, 3C-02	27-11-02	4
	June 4, 2015	October 2, 2015
	Subject EMPLOYEE-OFFENDER INTERACTION	

I. DEFINITIONS

“Acquaintance” means knowledge of a person acquired by a relationship less intimate than friendship.

“Employee” means full-time, part-time, and interim employees of the Department of Corrections to include interns, students, volunteers, vendors, contractors, agency consultants and contract personnel who have offender contact on a recurring basis. See CPP 3.1 (Code of Ethics).

“Family member” means a person related to another by blood, marriage, or adoption with whom an employee has more than an acquaintance.

“Fraternize” means the development of a relationship between a Division of Probation and Parole employee and an offender, offender’s family member, or other person acting on behalf of an offender that is not necessary for the fulfillment of the employee’s specific job duties.

“Offender” means any person: (1) confined in a correctional institution; (2) under the probation or parole supervision of Corrections, including any person on inactive supervision who has not received a final discharge; (3) who has been adjudicated guilty or has entered a guilty plea but is still pending final sentencing; or (4) who is less than one (1) year beyond his serve-out or release from supervision date. See CPP 3.1 (Code of Ethics).

“Official services” means any supervision, treatment, investigation, representation, court appearance, or other service provided to offenders by the Division of Probation and Parole.

II. POLICY AND PROCEDURE

A. Offenders shall not be harassed or discriminated against based on race, religion, national origin, gender, sexual orientation, disability, or political views. (2G-01)

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- B. Each employee shall abide by the Department of Corrections Code of Ethics as outlined in CPP 3.1 (Code of Ethics). Each employee shall adhere to the ethical standards pursuant to KRS 11A.005 through 11A.045 and KRS 18A.140. (3C-02)
- C. An employee shall not violate the public trust by providing official services that would create a conflict of interest or the appearance of a conflict of interest.
1. An employee shall not provide official services for a member of his family.
 2. An employee shall not provide official services for an offender with whom he has more than an acquaintance. This shall include personal, business, and social relationships.
 3. An employee shall not use his official position to secure privileges for himself or others. An employee shall not use his official position to campaign, lobby, or promote political activities.
 4. An employee shall not knowingly accept any gift or gratuity or engage in personal business transactions that would provide a benefit not available to the general public.
- D. An employee, either on duty or off duty, shall not fraternize with an offender, an offender's family member, or other person acting on behalf of the offender, in any manner including:
1. Association apart from the official contacts established by Corrections Policies and Procedures;
 2. Cohabitation;
 3. Habitation in a property under the employee's control; and
 4. Sexual contact of any kind, regardless of consent.
- Section D shall not prohibit the above contacts if the employee was married or in a pre-existing relationship with the offender or the offender's immediate family prior to the commission of the offender's criminal acts. In this case, all other sections of this policy shall apply.
- E. An employee acting against the interest of the Division of Probation and Parole, the Department of Corrections, or the Commonwealth of Kentucky, or displaying conduct that would cause a reasonable person to question the honesty and integrity

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of the employee of the Department of Corrections may be subject to discipline, up to and including dismissal.

- F. An employee shall report any violation of this policy, or potential violation of this policy immediately.
1. Upon employment, an employee shall provide a list of all offenders with whom he has more than an acquaintance.
 - a. The district supervisor shall immediately obtain the current district assignment and status of each offender listed.
 - b. The district supervisor shall resolve the conflict of interest by:
 - (1) Transferring the offender to another district; and
 - (2) Notifying the Director of the Division of Probation and Parole if other actions are not adequate.
 2. Upon gaining knowledge that an offender with whom an employee has more than an acquaintance may be assigned to an employee's district, the employee shall immediately notify the district supervisor. The district supervisor shall resolve the conflict of interest by:
 - a. Referring the offender to another district for further actions; and
 - b. Notifying the Director of the Division of Probation and Parole if other actions are not adequate.
 3. An employee realizing that this policy has been violated during the course of ongoing official services to an offender shall report the violation to the district supervisor in the offender's assigned district immediately.
 - a. The district supervisor shall notify the Director of the situation immediately.
 - b. The district supervisor shall immediately prevent the accused employee from providing any further official services to that offender.
- F. Upon notification of alleged violations, the Director of the Division of Probation and Parole may assign staff to investigate the allegations.

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1. This investigative team shall not be comprised of staff assigned to the suspected employee's district.
2. The investigative team may conduct interviews with involved employees and offenders.
3. The investigative team shall conduct an audit of all Probation and Parole records regarding the alleged offender.
4. An employee not providing full disclosure of all facts and knowledge of the case to the investigative team may be disciplined in accordance with state personnel regulations.
5. The investigative team shall refer any suspected violations of law to the appropriate law enforcement agency in that jurisdiction.