

 <p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	30.8	3
	Date Filed	Effective Date
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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 be screened for serious mental illness and medical issues for placement at the appropriate jail or facility to address the needs; 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).