

Kentucky Department of Corrections  
House Bill 463 Implementation  
Evidence-based Practices and Programs  
December 1, 2012

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## Executive Summary

The Kentucky Department of Corrections has worked diligently to implement evidence-based practices and provide additional services and supports to returning offenders. Since House Bill 463 was enacted, the Department of Corrections can cite the following accomplishments:

- Full implementation of a validated risk and need assessment tool across the corrections system (trained over 1,000 staff since July, 2010 in the effective administration of the assessment tool);
- Full implementation of a Kentucky specific case management plan that is integrated with our offender management system (trained over 500 since April, 2012 staff in implementation of the case management plan);
- Implementation of a comprehensive reentry barriers program for returning offenders available in prisons and in the community;
- New Probation and Parole Officers and Classification and Treatment Officers are trained in Motivational Interviewing techniques, cognitive behavioral programming, validated risk and needs assessment and case management planning as part of their basic academy;
- Pilot programs implemented in probation and parole districts to support evidence-based practices;
- Implementation of an array of evidence-based programs in prisons throughout the state;
- Change to program assignment process to ensure the offenders with medium and high risks receive targeted interventions.

While significant changes are underway within the Department of Corrections, we must continue to develop strategies to address offender reentry, increase public safety and reduce recidivism. These strategies for FY 2013 include:

- Increased evidence-based program options for offenders in the prisons, jails, halfway houses and community;
- Improved tracking of offender participation and completion of all programs;
- Develop plan for quality assurance to ensure programs are delivered with fidelity to the model;
- Develop plan to validate the risk and needs assessment tool and programs against a Kentucky specific population;
- Monitor recidivism rates in light of program participation to see if changes are necessary.

## Background

In 2010, the Kentucky legislature established the bipartisan, inter-branch Task Force on the Penal Code and Controlled Substances Act. With assistance from the Pew Center on the States, the Crime and Justice Institute, and the JFA Institute, the task force began an analysis of Kentucky's sentencing and corrections data, specifically looking at prison admissions data and analyzing state policies.

The analysis identified four key drivers for prison growth:

- An increase in arrests and court cases from 2001 to 2009 served as a contributing factor, with an increase in adult arrest rates by 32 percent during this time period.
- Kentucky sentenced offenders to prison as opposed to probation or other alternative sanctions at a much higher rate than most other states.
- Parolees sent back to prison for a violation of the terms of their release who did not have a new felony conviction nearly doubled as a percentage of prison admissions over the previous 12 years.
- An increased incarceration rate of drug offenders contributed to the increased prison population.

In March 2011, the Kentucky General Assembly approved sweeping criminal justice legislation designed to control corrections costs while increasing public safety. The task force's findings led to a set of reforms that were codified in the Public Safety and Offender Accountability Act of 2011 (HB 463). The legislation was the first major reform of criminal justice policy in Kentucky since the enactment of the Model Penal Code over 30 years ago. This law was the product of a "justice reinvestment" approach taken by the state based on a data driven analysis of its criminal justice system with the goals of reducing the number of repeat criminal offenders, controlling corrections costs, and reinvesting the savings in treatment programs and supervision practices while maintaining public safety.

Passed unanimously in the Senate and with just one dissenting vote in the House, the law concentrates expensive prison beds on serious offenders, strengthens pretrial services for

defendants, reduces recidivism by strengthening probation and parole, and establishes mechanisms for measuring government progress over time.

HB 463 supports strengthening Kentucky's criminal justice system as a whole by:

- requiring a risk/needs assessment in all phases of the system to determine program needs in prison, supervision levels on probation and parole, and parole suitability;
- establishing administrative caseloads for low-risk offenders;
- authorizing compliance credits for parolees and early termination for probationers who successfully comply with supervision conditions; and
- authorizing imposition of administrative, graduated sanctions for parole and probation violators.

### **Organizational Values, Mission and Vision**

As the economy struggles for stability, and community based organizations face greater demands for services, the Department of Corrections is faced with handling one of the largest offender populations in the state's history. In fiscal year 2012, the Department had 16,334 admissions, and 16,461 releases, with an average daily population of 21,471. This growth comes at a time of extraordinary fiscal crisis for our state as Kentucky struggles to deal with the decline in state revenues. These two factors have shaped the Department's course of actions in the current biennium and will shape its plan for the future as well.

The Department's strategic plan sets several goals related to the level of reentry services in prisons, jails and community services, with timelines to measure progress. These goals not only address the offender population growth, but the safety of the general public and our employees, as well as the welfare of inmates.

One of the Department's key goals is to reduce the recidivism rate by 5% within 5 years. Currently, the recidivism rate is 30.7% for state offenders measured by those 2009 releasees that returned to state custody within two years of release. Meeting the goal would require a recidivism rate of less than 25% by June, 2017. While this may appear to be a noble goal, it is

attainable if appropriate programs and services are provided to the offender in both the institution and community. Recidivism, or the “revolving door” cycle of criminal behavior/institutionalization, must be addressed in an attempt to curb the population growth.

### ***Mission***

The Kentucky Department of Corrections’ mission, “to protect the public and to provide a safe and humane environment for staff and offenders while carrying out the legislative and judicial mandates,” and “to provide opportunities for offenders to acquire skills which facilitate non-criminal behavior,” becomes increasingly difficult in times of revenue shortfalls.

In keeping with the Department of Corrections mission, the HB 463 implementation efforts focus on increasing successful reintegration by developing and implementing a holistic and seamless plan of services and supervision for targeted offenders delivered through state and local collaboration. This plan will facilitate their incarceration, transition, reintegration and aftercare.

### ***Vision***

The vision of the Department’s reentry efforts is to prepare offenders for release through targeted interventions and programs at critical time periods. The offender shall be prepared upon release and with community supports be able to pursue success in the navigation of services and partnerships needed to significantly reduce recidivism and become productive members of society.

### ***Current Reentry Efforts***

The Kentucky Department of Corrections is fully committed to establishing effective programming designed to increase public safety and offender accountability. Because of the

nature of Kentucky's corrections system, it will be necessary to implement policies and procedures related to both the institutional setting and community supervision.

### ***Existing Strengths and Challenges***

Currently, the Kentucky Department of Corrections houses offenders in a variety of locations, including state operated prisons, a private prison, local jail facilities, halfway houses and the home incarceration program. Each facility offers a different level of programming, making it challenging for offenders to seek rehabilitation programs while incarcerated. This variance among contract facilities and local jail facilities can be discouraging for offenders and corrections staff.

The Department of Corrections is fully aware of the strengths of reentry services and the gaps in the delivery system. The Department of Corrections has conducted several gap analyses as part of reentry planning with local and state agencies. The most commonly cited areas of concern in the community are housing, employment and treatment services.

### **House Bill 463 Implementation Efforts**

On March 3, 2011, Governor Steve Beshear signed a landmark justice reform bill designed to decrease the state's prison population, reduce incarceration costs, reduce crime and increase public safety. The bill modernizes Kentucky drug laws by reducing prison time for low-risk, non-violent drug offenders who possess small amounts of illegal drugs. HB 463 reinvests the savings from reduced prison costs into drug treatment opportunities for offenders who need help. It mandates that the Department of Corrections utilize a validated risk and needs assessment tool, develop a case management plan and provide evidence-based programs. HB 463 is the product of recommendations from an unprecedented bipartisan, inter-branch task force that included legislators, the Chief Justice, officials from the Justice Cabinet, prosecutors and

local officials. The Department hosts regular meetings to discuss the progress of HB 463 implementation throughout the corrections system.

The Kentucky Department of Corrections has worked diligently to implement evidence-based practices and provide additional services and supports to returning offenders. Since House Bill 463 was enacted, the Department of Corrections can cite the following accomplishments:

- Full implementation of a validated risk and need assessment tool across the corrections system (trained over 1,000 staff since July, 2010 in the effective administration of the assessment tool);
- Full implementation of a Kentucky specific case management plan that is integrated with our offender management system (trained over 500 since April, 2012 staff in implementation of the case management plan);
- Implementation of a comprehensive reentry barriers program for returning offenders available in prisons and in the community;
- New Probation and Parole Officers and Classification and Treatment Officers are trained in Motivational Interviewing techniques, cognitive behavioral programming, validated risk and needs assessment and case management planning as part of their basic academy;
- Pilot programs implemented in probation and parole districts to support evidence-based practices;
- Implementation of an array of evidence-based programs in prisons throughout the state;
- Change to program assignment process to ensure the offenders with medium and high risks receive targeted interventions.

House Bill 463 defines the “evidence-based practices” as supervision policies, procedures, treatment and intervention programs, and practices that scientific research demonstrates reduce recidivism among inmates and individuals on probation, parole or other form of post-release supervision when implemented competently. For purposes of this report, the Department of Corrections is adhering to this definition and considering supervision practices like the use of Motivational Interviewing as an evidence-based practice as well as offender participation in programs like Thinking for a Change as an evidence-based practice. Evidence-based programs and evidence-based practices may be used interchangeably throughout the report.

## **Validated Risk and Needs Assessment and Case Planning**

The foundation of the reentry process is the implementation of a validated risk and needs assessment tool. Prior to July 2010, offenders were often assigned to programs at their request. Programs were not designated as evidence-based or considered a promising practice. In many cases, the offenders that actively participated in programs were low risk.

The implementation of the Level of Service / Case Management Inventory was a significant investment in both our staff and offenders. Staff are required to participate in a four-day training and pass two exams. One exam focuses on the practical aspect of interviewing the offender, analyzing information and determining an overall risk level. One exam focuses on the theory and content of the assessment. The risk and needs assessment is conducted prior to the offender's release from prison on parole, home incarceration, mandatory reentry supervision or completion of sentence. The tool is used to identify the offender's criminogenic needs, and determine their risk of recidivism based on those needs. The results enable corrections staff to create opportunities to address the needs and reduce the risk.

The criminogenic needs identified by the assessment tool are:

- Anti-social attitude - history of poor attitude / beliefs about the law and fails to accept responsibility for their criminal behavior
- Anti-social companions – lacks stable relationships with non-criminal friends
- Anti-social personality or temperament – lacks the ability to experience guilt or empathy, may often have anger management issues
- Family and/or marital issues – history of family issues, including pro-criminal family members
- Substance Abuse – history of substance use and abuse
- Employment / Education – lack of a basic education and/or stable work history
- Leisure and/or recreation – lack participation in pro-social activities (for example: church, organized sports leagues, volunteer efforts)
- Criminal History- history of antisocial behavior and ongoing involvement with the criminal justice system

Since July, 2010, the Department has completed over 43,050 assessments. The analysis of these assessments show common themes. In local jails and halfway house assessments, offenders have the following criminogenic needs: leisure / recreation, anti-social companions, employment/ education and criminal history. In prisons, offender have the following common needs: leisure/recreation, anti-social companions and criminal history. In the community, offenders on probation or parole have an issue with leisure/recreation. It is clear that criminal behavior becomes a factor when individuals lack appropriate, structured time. Additionally, offenders that have strong relationships with other individuals involved in the criminal justice will factor into ongoing criminal behavior.

Overall risk levels for assessments conducted in prisons since July, 2010:

- 12% of the population score very low or low
- 41% of the population score medium
- 37% of the population score high
- 10% of the population score very high

Overall risk levels for assessments conducted in local jails or halfway houses since July, 2010:

- 8% of the population score very low or low
- 43% of the population score medium
- 41% of the population score high
- 8% of the population score very high

Overall risk levels for assessments conducted in the community for offenders on probation or parole since July, 2010:

- 20% of the population score very low or low
- 48% of the population score medium
- 28% of the population score high
- 4% of the population score very high

These outcomes are appropriate when considering that the assessments have been normed on a similar population. Additionally, offenders in the community are more likely to be probationers with a shorter criminal history than those offenders housed in jails, halfway houses or prisons.

While the assessment process is the foundation of the reentry process, the next step is the development of a case management plan. The case management plan is developed with the offender based on the results of the assessment. The offender is given the opportunity to self-identify strengths, which may be as simple as I am motivated to attend vocational school. The offender and case manager (either a Probation and Parole Officer or Classification and Treatment Officer) then work together to determine the first criminogenic need to address. For example, the offender may have a high need in the Leisure/Recreation area and the case manager and offender may develop a goal to become involved in pro-social activities. The team then develops tasks that will assist the offender in achieving the goal. The tasks are specific, measurable, achievable, reasonable and time-limited. The offender also identifies individuals or agencies in the community that are supportive of their reentry. This may include a sponsor or mentor, or a case manager from a community-based agency.

The case management plan also has a component to address non-criminogenic needs. Non-criminogenic needs do not directly factor into criminal behavior, but given other issues may play a role in the successful reentry of the offender. For example, an offender may be required to pay child support, in addition to other fines and fees. Ensuring the offender maintains all financial requirements may be a goal for a non-criminogenic needs, with associated tasks related to budgeting and securing a second job.

## **Evidence-based programs**

- Moral Reconciliation Therapy program is a cognitive-behavioral treatment approach that leads to lower recidivism, improved personality variables and enhanced treatment compliance. MRT is offered at each prison and is facilitated by contract staff. The Marion County Detention Center is providing MRT to state offenders housed at the local jail. A pilot is planned for community offenders.
- Pathfinders is a cognitive-skills program that involves team building, problem solving, life management, communication and stress management. Pathfinders is offered at each prison and may be facilitated by institutional or contract staff.
- Substance Abuse Treatment Program is designed to address substance abuse and behavior modification issues to teach offenders to effectively combat their addiction. The program is offered in prisons, local jail facilities and halfway houses. It may be facilitated by institutional or contract staff based on location.
- Sex Offender Treatment Program consists of individual and group counseling geared to provide tools that offenders can use for controlling their sexually assaultive behavior. The program is offered at some prisons and in the community and is facilitated by mental health staff.
- Inside/Out Dads focuses on cognitive and attitudinal change, helping men on the path to becoming involved, responsible and committed fathers. The program is offered at all male prisons and is facilitated by institutional staff. The Marion County Detention Center also provides this program at their local jail.

- 24/7 Dads is the community component to the Inside/Out Dads institutional program. 24/7 Dads is offered on a pilot program basis in the community and is facilitated by Probation and Parole staff.
- Thinking for a Change helps offenders examine their attitudes, beliefs and thinking patterns. This program is endorsed by the National Institute of Corrections and is offered at several prisons and is facilitated by institutional staff. A pilot is planned for community offenders.
- Relapse Prevention Therapy is a cognitive behavioral treatment program designed to support offenders struggling with substance abuse issues to develop a plan for high risk situations and address ways to prevent relapse behavior. A pilot is planned for community offenders and will be facilitated by Probation and Parole staff.
- Emergency Medical Technician program is a training program for individuals interested in medical services offered at Kentucky State Reformatory for minimum security inmates. The program is facilitated by certified EMT instructors.
- Seeking Safety is a trauma-informed care group that supports individuals that have experienced trauma in their lives and lack the coping skills to effectively manage their feelings. It is offered at the Kentucky Correctional Institution for Women and is facilitated by contract staff.
- Educational / Vocational programs are offered throughout the prison system, including prisons, halfway houses and local jails. The programs may be taught by institutional or contract staff.
  - Braille Transcribing Program
  - Career Readiness Program
  - College Program
  - Commercial Driver's License Program

- Computer Literacy
- Culinary Arts Program
- Basic education classes (GED, literacy, etc.)
- Recycling / Materials Management Program
- Xerox Program
- Audio/Video Program
- Auto Technology
- Business Studies
- Cabling/Networking
- Carpentry
- Computer Aided Design
- Collision Repair
- Construction Management
- Electrical
- Entrepreneurship
- Facility Maintenance
- Heating and Air
- Horticulture
- Industrial Coating
- Insulating
- Masonry
- Microsoft Office
- Plumbing
- Small Engine Repair
- Tutor Certification Program
- Upholstery
- Vocational Technology Fundamentals
- Water Treatment
- Welding

### **Evidence-based Practices**

- Motivational Interviewing is a cognitive behavioral interviewing technique that enhances offender engagement in supervision and retention. All Probation and Parole Officers and Supervisors have been trained in Motivational Interviewing techniques. Additionally, Classification and Treatment Officers have been trained in Motivational Interviewing techniques. New staff are trained as part of their basic academy curriculum.
- SMART is a high-intensity supervision program, modeled after the HOPE Probation (Hawaii's Opportunity Probation with Enforcement). Offenders in the SMART program

receive swift, certain and immediate sanctions for each violation. The program is offered in 5 pilot sites in Kentucky.

- Carey Guides: Brief Intervention Tools are short, situational, versatile, user-friendly tools designed to help corrections professionals to effectively address key skill deficits in short, structured interventions. These tools will be used by Probation and Parole Officers.
- EPICS (Effective Practices in Community Supervision) is a supervision model that structures the staff offender interaction into meaningful components, check-in, review, intervention and homework.

**Promising Practices are programs that show promise for reducing recidivism but need formal research to confirm their impact.**

- New Direction reentry barrier program (promising practice) is designed to address non-criminogenic barriers to reentry and is offered in prisons and at the Marion County Detention Center. The program is facilitated by institutional reentry coordinators.
- PORTAL (basic and advanced) (promising practice) is designed to address non-criminogenic barriers to reentry for community offenders. The program is facilitated in several Probation and Parole districts across the state and is facilitated by Probation and Parole Officers.
- Phoenix Program (promising practice) is a residential, integrated, dual-diagnosis treatment program for men with mental illness and addiction located in Unit C at KSR. Components of the integrated program include a therapeutic community, motivational enhancement therapy, cognitive behavioral therapy, medication management, and twelve-step involvement. The program is facilitated by mental health staff.

- Challenges (promising practice) is a program for inmates with mental illness. It is intended to help them lead a more pro-social lifestyle by thinking more realistically and exhibiting healthier behaviors. This program is offered at the Kentucky State Reformatory. It is facilitated by mental health staff.

**Program participation and Completion**

The Department of Corrections tracks program assignment and completion in the Kentucky Offender Management System (KOMS). Prior to July, 2012 the Department did not track program completion for all program types, therefore we expect a higher level of program participation and completion in fiscal year 2013. In FY 12, staff typically only tracked program participation when a program completion would make an offender eligible for a sentence credit. We expect the information in FY 13 to look significantly different because staff will track program participation for each identified program (evidence-based and non-evidence-based) as well as program completion.

For institutional and community programming, the following information represents program participation and completion for FY 12:

• Academic programs	2,594 participated	603 completed
• Vocational Technology	1,086 participated	191 completed
• Inside/Out Dads	43 participated	32 completed
• Pathfinders	128 participated	100 completed
• Substance Abuse Treatment	1,761 participated	618 completed
• Sex Offender Treatment	469 participated	91 completed
• Sex Offender Treatment-community	393 participated	75 completed
• Thinking for a Change	101 participated	81 completed

Many times, where the offender is located determines what program they may access. For example, in FY 2012 offenders in Recovery Kentucky facilities had access to 18 programs and each of these programs was evidence-based, which halfway houses offered 139 programs and 86% of these were evidence-based. Local jail facilities have significant difficulty providing

programs due to staffing and lack of program space, and of the 116 programs offered, 98 were evidence-based. Lastly, prisons offer 949 programs and 892 or 94% are evidence-based.

### **Funding the Effort**

The Kentucky Department of Corrections has worked diligently to ensure that evidence-based projects are cost effective. With this endeavor, the Department has secured nearly \$3,000,000 in federal funds to support implementation of the validated risk and needs assessment tool, train staff in evidence-based practices and programs, and provide materials for evidence-based programs.

In Fiscal Year 2012, the Department used over \$13.9 million in funds to support evidence-based programs, including education and vocational programs, substance abuse treatment and sex offender treatment programs.

The Department also utilized Kentucky Centralized Inmate Commissary, Inc. (KCICI) funds to support expanded educational programs and Pathfinders in FY 12. Funding allowed inmates to participate in college courses, complete GED testing, utilize additional academic supplies, and engage in the developmental math program. Additionally, incentives for passing the GED were funded through KCICI. It provided over \$674,000 in funds to support continued implementation of these programs.

When comparing the expenditures in FY 12 on evidence-based programs versus other programming, the Department spent 99.9% of funds on evidence-based program support.

### **Policy Changes**

The Department of Corrections made created or modified a significant number of policies to address requirements of House Bill 463. These policies include:

#### *Institutional Policy Changes*

CPP 5.3 – Program Evaluation and measurement - was created to provide specific direction and guidelines for evaluating evidenced based programs and promising practices within the department. This new policy is a result of HB 463.

501 KAR 6:280 – Risk and Needs Assessment - was created to provide guidance and support for offender assessments for program recommendations as outlined in CPP 12.1. This new regulation is a product required by HB 463.

CPP 12.1 – Risk and Needs Assessment - was created to provide specific guidance on offender assessments for program recommendations. This new policy is a result of HB 463.

CPP 12.2 – Case Planning - was created to provide specific guidance on offender case planning upon completion of a Risk and Needs Assessment. This new policy is a result of HB 463.

CPP 12.3 – Risk and Needs Assessment Administration, Training, and Quality Assurance was created to establish procedures to govern the administration of, training for, and quality assurance for the Risk and Needs Assessment. This new policy is a result of HB 463.

CPP 14.6 Inmate Grievance Procedure - was revised to add the Risk and Needs Assessment as non-grievable. This policy revision is a result of HB 463.

CPP 25.12 – Home Incarceration Program - was revised to add language for transfer procedures and eligibility requirements. This revision also clarifies the responsibilities for Central Office and Probation and Parole during business hours and after hours. The Home Incarceration Program was expanded to 9 months as a result of HB 463.

CPP 15.4 – Program Credit - was revised to add additional language regarding Evidenced Based Programs. This revision also provides guidelines for documentation and tracking of data for reporting purposes. This policy revision is a result of HB 463.

*Probation and Parole*

CPP 27-10-02 - Mandatory Re-Entry Supervision. This new policy is a result of HB 463.

CPP 27-10-03 - Post incarceration Supervision. This new policy is a result of HB 463.

CPP 27-12-07 - Administrative Caseloads. This new policy is a result of HB 463.

CPP 27-15-03 - Graduated Sanctions and Discretionary Detention. This new policy is a result of HB 463.

CPP 27-12-01 - Supervision Case Classification - “Risk assessment” was changed to “risk and needs assessment” to match statute. Supervision of drug court cases is not required per HB 463. This policy revision is a result of HB 463.

CPP 27-12-03 – Initial Interview -The timing of the initial interview was changed to 14 days to align with risk and needs assessment. Documents to be completed at initial intake, including risk and needs assessment and case plan were updated. This policy revision is a result of HB 463.

CPP 27-12-04 – Conditions of Supervision and Request for Modification -The timeline of adding conditions was modified. This policy revision is a result of HB 463.

CPP 27-12-06 – Grievance Procedures for Offenders - Dispute of calculation of jail custody credit and application of parole compliance credit were added to grievable matters. This policy revision is a result of HB 463.

CPP 27-12-11 – Guidelines for Monitoring Financial Obligations - Procedures for violations of non-payment of fees were modified. This policy revision is a result of HB 463.

CPP 27-13-01 – Drug and Alcohol Testing of Offenders - Process for responding to positive drug tests and referring to drug or alcohol treatment was aligned with other policies. This policy revision is a result of HB 463.

CPP 27-15-01 – Supervision Reporting Documents, Violations and Unusual Incidents – Procedures for submission of violations reports were updated. The list of major and minor

violations was deleted as they were moved to another policy. This policy revision is a result of HB 463.

CPP 27-20-03 – Prisoner Status Change - Parole compliance credit was defined. This policy revision is a result of HB 463.

CPP 27-24-01 – Releasing Offenders fro Active Supervision - A section on early termination of parole was added. This policy revision is a result of HB 463.

CPP 27-30-02 – Conditional Discharge of sex Offenders - Risk and needs assessment and sex offender post incarceration supervision was added. This policy revision is a result of HB 463.

CPP 27-12-02 – Risk Scale Assessment. Deleted as a result of HB 463.

CPP 27-12-08 – Supervision Planning. Deleted as a result of HB 463.

CPP 27-20-02 – Prisoner Intake Notification. Deleted as a result of HB 463.

CPP 28-01-01 – Probation and Parole Investigation Reports, Introduction, Definitions, Confidentiality, Timing and General Comments - Added definition for custody time credit form and. Information about conducting a risk and needs assessment was added. This policy revision is a result of HB 463.

CPP 28-01-03 – Presentence, Post sentence, Supplemental, and Partial Investigations - Instructions for including risk and needs assessment information to the pre-sentence investigation was added. Calculation of custody time credit was added. This policy revision is a result of HB 463.

CPP 28-01-08 – Probation and Parole Investigation Reports, Partial Investigation Reports, and Submission Schedule - Added language regarding the calculation of jail custody credit. This policy revision is a result of HB 463.

CPP 28-03-01 – Parole Planning, Investigative Requests, Halfway Houses, and Parole Offices to monitor Employment Search and Sponsorship - Definitions for parole plan investigations and sponsorship were modified. Parole plan process in the offender management system was updated. This policy revision is a result of HB 463.

CPP 28-03-02 – Expedient Release Parole Planning Investigation Requests - Sections for control agency, qualifications for expedient release, and investigation of expedient release plan were removed. Processes for submitting parole plans were updated through the offender management system. Release procedures were added, stepping an officer through paperwork required to release an offender to parole. This policy revision is a result of HB 463.

### **Collaboration at Every Level**

The simple fact is that the Department of Corrections cannot solve the challenges of offender reentry alone. The Department must work with key stakeholders at the local, state and federal levels to address the barriers to reentry that offenders face. The Department has been successful in addressing several needs through collaboration with other agencies. For example, while every effort has been made to enable offenders to secure photo identification upon release from prison, few counties had been willing to recognize Department of Corrections or Parole Board paperwork as an identification document for the offender. As part of 2009 legislation, offenders with birth certificates and specific Department of Corrections' paperwork can secure their driver's license or state identification card at any county circuit court clerk's office. Offenders are now strongly encouraged to secure their birth certificate as part of their transition from prison to the community to make the identification process smoother upon release.

The Governor signed an Executive Order on April 15, 2009 to establish the Governor's Reentry Task Force, a council of more than 50 key policymakers, lawmakers and stakeholders.

The first organizational meeting was held during the November, 2009 during the reentry conference. The Executive Committee of this Task Force meets semi-annually to review the work of the Steering Committee that meets bi-monthly. The Reentry Task Force will guide the reentry process by ensuring that state and local agencies collaborate to serve the offender needs throughout the state. For the 2012 legislative session, the Steering Committee, with approval of the Executive Committee submitted specific legislative proposals to address housing, employment, treatment (medical, mental health and substance abuse) and other needs related to offender reentry. The Steering Committee will submit additional legislative proposals for the 2013 legislative session.

The Department has worked with local communities across the state to establish and support 11 reentry councils. These councils involve stakeholders from areas including: criminal courts, corrections, parole board, mental health agencies, public health services, veteran's affairs, housing agencies, employers and employment services, social service agencies, faith-based groups and average citizens. The work of these councils is amazing! For example, the Northern Kentucky Reentry Team is developing a plan to promote "Ban the Box" which will provide offenders with an opportunity to secure an interview prior to a criminal background check being completed. This "Ban the Box" will require employment applications to omit the question related to arrest and conviction.

The following reentry councils meet monthly and represent communities throughout the Commonwealth:

- Northeast Kentucky Reentry Council
- Green River Reentry Council
- Western Kentucky Reentry Council
- Southeast Kentucky Reentry Task Force
- Southern Kentucky Reentry Council
- Central Kentucky Reentry Council

- Louisville Metro Reentry Task Force
- Bluegrass Reentry Council
- Eastern Kentucky Reentry Council
- Northern Kentucky Reentry Team
- FIVCO Reentry Council

Individuals interested in participating may sign up through [www.kentuckyreentry.org](http://www.kentuckyreentry.org) for meeting notification information.

The Department has developed a reentry newsletter, The Tool Kit, designed to provide information to staff and stakeholders about reentry efforts in the state. Additionally, a newsletter was created to provide information to offenders called “Homeward Bound.” These newsletters are available on the reentry portion of the Department of Corrections website at [www.corrections.ky.gov](http://www.corrections.ky.gov).

### **2013 Expectations**

While significant changes are underway within the Department of Corrections, we must continue to develop strategies to address offender reentry, increase public safety and reduce recidivism. These strategies for FY 2013 include:

- Increased evidence-based program options for offenders in the prisons, jails, halfway houses and community;
- Improved tracking of offender participation and completion of all programs;
- Develop plan for quality assurance to ensure programs are delivered with fidelity to the model;
- Develop plan to validate the risk and needs assessment tool and programs against a Kentucky specific population;
- Monitor recidivism rates in light of program participation to see if changes are necessary.

### **Recommendations**

The Department of Corrections has been able to secure significant federal funding that supports evidence-based projects throughout the state. Federal funds have typically supported pilot programs with specific target populations, and federal funding will end. In order to expand these efforts, additional funding will be necessary. If additional funds are made available, the

Department seeks to create specific staff positions in prisons and the community that would facilitate offender programming. Current staff to offender ratios do not allow for program implementation at all levels of the corrections system. This would enable the department to enhance program offerings through implementation of new evidence-based programs and expansion of current evidence-based programs. To accomplish this effort, the Department would need an additional 35 staff to expand current program offerings. This is based on staff time and effort of a Classification and Treatment Officer or Parole Officer I position facilitating 8 programs per week. Each program would support on average 10 individuals participating. Most programs require 1 staff member to facilitate the program. This effort would enable the Department to provide programs to over 5,500 offenders in the first year.

The Department will also explore with community agencies and local jail facilities to expand existing substance abuse treatment program slots. While offenders may not enter prison with a drug offense, oftentimes substance abuse is a factor in the criminal behavior. Expansion of substance abuse treatment slots will enable the Department to meet the treatment needs of our current offender population and provide affordable substance abuse treatment for probationers and parolees.

### **Summary**

The Department of Corrections has made every effort to implement evidence-based practices to impact the overall reentry process. From assessment to case planning to targeted interventions using proven supervision practices, the Department is confident that the Commonwealth will see a reduction in recidivism as evidence of their work.

In response to House Bill 463 and the four primary drivers of the population, realistically corrections can only impact the number of parolees returning to prison for technical violations

and the services provided to offenders with substance abuse issues. The Department has implemented a violation matrix with graduated sanctions to address offenders that have technical violations. Additionally, all Probation and Parole Officers and Supervisors have been trained in motivational interviewing techniques that support more positive interactions with offenders. Additionally, training is planned in 2013 to support positive interactions with offenders, through implementation of the Effective Practices in Community Supervision (EPICS). For our more challenging rural populations, we will begin using Brief Intervention Tools that will support offender reentry and address criminogenic needs when a formal group program is not available. Lastly, we continue to expand our substance abuse treatment offerings to support offenders that have experimented with drugs as well as those offenders that are true addicts. As evidence of our support, we continue to participate in communities that have the court-based SMART Project, an intervention that provides swift, certain interventions when the offender has failed to comply with program requirements. The SMART initiative is modeled after Hawaii's HOPE program which was cited in House Bill 463 as a project to explore.