

TEAM KENTUCKY®

JUSTICE AND
PUBLIC SAFETY CABINET

**KRS 439.3103
(11 RS HB 463)
2022 Annual Report**

**Justice and Public Safety Cabinet
Kentucky Department of Corrections**

INTRODUCTION

In 2010, the Kentucky legislature established the task force on the Penal Code and Controlled Substances Act. The task force began an analysis of Kentucky's sentencing and corrections data with assistance from the Pew Center on the States, the Crime and Justice Institute and the JFA Institute. The analysis identified four key drivers for prison population growth in Kentucky:

- An increase in arrests and court cases from 2001 to 2009, with an increase in adult arrest rates by thirty-two (32) percent during the same time period.
- Offenders were sentenced to prison as opposed to probation or other alternative sanctions at a much higher rate compared to other states.
- Parolees ordered to return to prison for violating the terms of their release without a new felony conviction nearly doubled as a percentage of prison admissions over the previous twelve (12) years.
- An increased incarceration rate of drug offenders.

Findings by the task force led to a set of reforms codified in the Public Safety and Offender Accountability Act of 2011, KY House Bill 463 ([11 RS HB 463](#)). This legislation was the first major criminal justice reform policy in Kentucky in more than 30 years. KRS 439.3103 (11 RS HB 463) strengthened Kentucky's criminal justice system by:

- Requiring a risk/needs assessment in all phases of the system to determine new programming needs in the prisons, for individual under probation or parole, and parole stability;
- 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 violations.

This annual report provides an overview of efforts by the Kentucky Department of Corrections (DOC) in implementing evidence-based practices to reduce recidivism in the commonwealth.

2022 ANNUAL REPORT

In March 2020, the World Health Organization declared a global pandemic caused by the coronavirus disease, labeled the COVID-19 Pandemic (COVID-19). Over three years, COVID-19 spread quickly throughout congregate settings, such as, prisons, jails and reentry service centers. In response, DOC made adjustments to daily procedures to continue delivery of programming and resources to the justice-involved population.

It is the mission of DOC to provide opportunities for offenders to acquire pro-social skills, promoting successful reentry into the community and reducing recidivism. The department has worked diligently to implement evidence-based practices and to provide additional services and support to the justice-involved population. Since 11 RS HB 463 was enacted, DOC has accomplished the following:

- Implementation of a validated risk and needs assessment tool across the department that is integrated into the Kentucky Offender Management System (KOMS) and provides individualized case plans for the incarcerated population.
- Training of corrections staff with motivational interviewing techniques, cognitive behavioral programming, risk and needs assessment and case planning.
- Implementation of evidence-based programs at Kentucky's adult institutions, as well as every Probation and Parole District and Reentry Service Center.
- Restructuring of program assignments to ensure individuals with moderate or high needs receive targeted treatment interventions.
- Integration of program tracking for all areas of the department into KOMS.
- Development of a life skills program, Portal New Directions, for the incarcerated population.
- Application of quality assurance for programming.
- Application of quality assurance for the validated risk and need assessment tool.
- Utilization of graduated sanctions in lieu of incarceration for technical violations of community supervision.
- Creation of the Division of Reentry Services.
- Application of [20 RS HB 284](#) to allow probationers to receive Program Good Time Credit.
- Development of the community program facilitator approval process.
- Development and implementation of an evidence-informed program screening tool.
- Review and formal evaluation of departmental program offerings.
- Expansion of Supporting Others in Active Recovery (SOAR) and substance abuse treatment beds for the population.
- Introduction of virtual services for programming and resources for the population.
- Expansion of services to assist the population at the time of release into the community from incarceration.
- Application of 21 RS HB 556 providing appropriation for Jail Incentives.
- Application of 21 RS HB 497, altering KRS 196.281 to require offering release documentation to all offenders released.

- Issuance of Certificate of Employability to inmates being released from custody to enhance likelihood of employment for offenders.
- Introduction of KOMS Client Portal App for community offenders on supervision.

DOC's average daily population in 2022 was 19,395. There were 15,387 admissions and 13,764 releases. Offenders committed to state custody are housed in state prisons, local jail facilities, reentry service centers and in the community on the home incarceration program.

KRS 439.3103 (11 RS HB 463) has assisted the department in decreasing the state's inmate population, reducing incarceration costs, reducing crime and enhancing public safety. The legislation authorized savings from reduced prison costs be placed into drug treatment and evidence-based practices for offenders. The legislation also provided the opportunity for funds to be allocated for program tracking in KOMS. Being able to verify quality assurance and tracking of programs is key to ensuring best practices. DOC works diligently to ensure offenders in need are receiving treatment and/or programming for successful reentry into society.

DOC utilizes a program screening tool to review and approve programs for entry in the DOC Course Catalogue. In collaboration with the University of Cincinnati's Corrections Institute (UCCI), DOC developed an evidence-informed screening tool to be used in the program selection process. The tool identifies key areas to consider such as: research availability to show the program reduced recidivism and/or improved other key outcomes; adherence to risk, need, responsibility principles; and outcome measures. The tool also reviews other key factors an agency should consider when implementing a new program, such as cost and training requirements. This tool has also helped DOC identify the amount of completion credit an approved program should receive.



DOC offers three types of programs in addition to educational courses: Evidence-Based Programs and Practices, Promising Practices Programs and Life Skills Programs. DOC has many community partners capable of facilitating programs to the incarcerated population and expanding program availability throughout the state allowing offenders continued access upon release. To leverage community program facilitators, the department developed a standard application process for providers interested in becoming formally approved to facilitate programs on behalf of the DOC. Approved providers receive referrals from the department and have their program listed as an approved provider on the department's website. In 2022, the department approved 61 applicants as DOC approved program providers. These applicants facilitated programming at 307 locations.

In 2022, the DOC Course Catalogues consisted of 35 different programs offered for the population across 3 different course catalogues depending on location of offerings (Community, Local Facilities and Adult Institutions). There is also a full Education Course

Catalogue for educational courses offered statewide. In 2022, there were 33 Evidence-Based, 1 Promising Practice and 1 Life Skills program listed in the DOC Course Catalogue available for the population to participate in. The course catalogue provides a description of the program, time frame, applicable good time credits for completion, admission criteria, applicable policies and locations. The catalogues are updated on a quarterly basis and made available to the DOC population at the applicable locations as well as on the DOC website.

Below are the programs and practices offered in 2022 to the offender population.

Evidence-Based Programs

Evidence-Based means practices, policies, procedures, programs and applications proven by scientific research to reliably produce reductions in recidivism when implemented competently.

Moral Reconciliation Therapy (MRT®) – Cognitive based program which examines the psychological component of an offender’s behavior. This program targets criminal thinking and behavior modification.

MRT Specialized Modality Programs – Cognitive based programs utilizing the MRT model with a focus in specific areas. Examples include Anger Management, Trauma, Parenting, Staying Quit, Thinking for Good, Untangling Relationships and Mentor.

Substance Abuse Treatment Program – Designed to address substance use disorder and behavior modification issues by teaching alternative ways to effectively combat addiction.

Sex Offender Treatment Program – Individual and group counseling geared to provide tools for controlling sexually assaultive behaviors.

Getting Started – Serves a very specialized population: inmates who have a substance abuse history and require training and treatment of pre-contemplation in order to trigger the drive and motivation to enroll and complete the Substance Abuse Program.

MEE Journaling Series- This journaling program combines group presentations and individual assignments, along with facilitator guidance when necessary. The MEE Journal Series (Motivational, Educational and Experiential Series) provides a structured, client centered, addiction series program.

Willow/COD SAP – A co-occurring program designed to address mental health and substance abuse treatment simultaneously for incarcerated women.

Seeking Safety – Trauma informed care group for individuals who have experienced trauma and lack coping skills to effectively manage feelings and behaviors.

Phoenix Program – Residential co-occurring disorder treatment program offered at Kentucky State Reformatory for men with mental illness facilitated by mental health staff.

Threshold – Offered in a residential setting to promote an atmosphere of peer accountability and sharing at Lee Adjustment Center. Focuses on life controlling issues, life literacy, relationships and spiritual formation.

Challenges – Addresses pro-social thinking and lifestyles for inmates with mental illness, facilitated at Kentucky Correctional Institution for Women by mental health staff.

RHU Short Term Behavioral Modification - This restrictive housing program is designed to help offenders identify thinking patterns to assist them in emotional and cognitive reasoning.

RHU Transitional Behavioral Modification – A step down program from restrictive housing to general population utilizing a blend of the perfect dosage, frequency and diversity in exercises for offenders who pose the highest risk while incarcerated.

RHU Administrative Behavioral Modification - A step-down program from restrictive housing to general population designed specifically for women.

RHU Extended Behavioral Modification - A step-down program from restrictive housing to general population to treat the treatment-resistant offenders with substance use disorder.

Healthy Lifestyles-CBT - This program targets male clients between the ages of 18 – 24 who meet the criteria for anti-social personality disorder and are at a high level of risk for recidivism.

Go Further- This evidence-based program utilizing interactive journaling is a CoreCivic program offered only at Lee Adjustment Center. Offenders enrolled in this program participate in a 4-part process from incarceration to release. Parts include On Ramp, Highway, Off Ramp and Destination. This program walks an offender from the beginning of his incarceration to the end and reentry to the community.

SOAR- Supporting Others in Active Recovery (SOAR) – SOAR is offered at Northpoint Training Center supporting offenders in their goal to stay safe and sober. SOAR is targeted toward relapse prevention, education, and reentry skills/resources. Participants are given evidence-based curriculum from Hazelden called MORE (My Ongoing Recovery Experience)©.

Supportive Assistance with Medication for Addiction Treatment (SAMAT) - SAMAT is focused on preventing overdose, relapse and recidivism for individuals with Opioid Use Disorder and/or Alcohol Use Disorder who have completed or are currently engaged in a Substance Abuse Program (SAP) through the implementation of FDA-approved medication for addiction treatment, which includes Vivitrol (naltrexone).

Educational and/or Career and Technical Classes – Offered in various adult institutions and Reentry Service Centers for inmates to earn work credit and/or certificates to transfer into the communities for work experience upon release. Various educational and vocational programs listed in the below chart.

GED	Auto Technology	Braille
Carpentry	Collision Repair	Career & Technical Fundamentals
Electricity	Emergency Medical Technician	Fuel Ed
Horticulture	HVAC	Computer Literacy
In2Work	Masonry	NCRC
Safety Specialist	Second Chances Grooming Elite	Small Engine Technology
Wastewater Treatment Plant Operator	Water Treatment Plant Operator	Welding
College	Culinary Arts	Recycling Materials Management
	Commercial Driver's License	

Evidence - Based Staff Practices

Motivational Interviewing – A cognitive based interviewing technique taught to all DOC staff that enhances offender engagement in supervision and retention.

Core Correctional Practices – Supervision strategy that teaches DOC staff to apply principles of effective interventions with offenders.

Promising Practices Programs

Programs and strategies that have some research or data showing positive outcomes but do not have enough evidence yet to meet the standard of an evidence-based program. Promising Practices have a clear focus and include processes of accountability and evaluation.

THRIVE – A residential treatment program offered at Kentucky State Reformatory in the CPTU unit focused on mental health needs of the inmate population. Participants learn and practice pro-social behaviors via five levels.

STAR – Residential treatment program offered at Kentucky State Reformatory in the Corrections Psychiatric Treatment Unit (CPTU) for men identified needing intensive mental health services. Inmates in the program have exhibited impairment in different areas of functioning resulting in their inability to complete other programs offered in institutions.

Life Skills Programs

Programs and strategies that have minimal research or data showing positive outcomes, delivered to the justice-involved population in hopes of guiding them when developing a pro-social daily lifestyle.

PORTAL New Direction (PND) – Addresses non-criminogenic needs of reentry for community offenders as well as those returning to the community in the near future. Gives everyday guidance to barriers the justice-involved population faces.

The following table represents program completions for Fiscal Year 2022 Evidence-Based Programs, Promising Practices Programs, Life Skills Programs, and Vocational/Education Certificates. This number is inclusive of the entire Department of Corrections population (inmates in all housing statuses and on community supervision):

FY2022 Program Completions	
Program Type	Completions
Academic - Vocational	1,966
Substance Abuse/Mental Health	6,376
Sex Offender Treatment	424
Evidence-Based	12,566
Life Skills	2,548
Promising Practices	6
Total	23,886

DOC has worked diligently since 11 RS HB 463 implementation to effectively deliver evidence-based programs to the justice-involved population while being fiscally responsible. During Fiscal Year 2022 the Department used approximately \$26 million in funds by utilizing General, Federal, Senate Bill 192 Substance Abuse Treatment funding and Kentucky Centralized Inmate Commissary, Inc. (KCIC) funds. Details of the expenditures for evidence-based programming are listed in the below table. It should be noted, KCIC/Canteen funds are funds from inmate purchases that are used for programming for the population.

FY22 Evidence Based Program Expenditures					
Program	General Fund	Federal Fund	SB192 Fund	Restricted Fund	KCIC/Canteen
Substance Abuse	\$ 14,799,928	\$ 466,938	\$ 2,455,645	\$ 2,039	\$ 17,513
Sex Offender Treatment Program	\$ 959,081.29				
Education	\$ 5,999,421	\$ 28,484			\$ 10,515
MRT	\$ 1,251,770				\$ 317,096
Pathfinders					
PORTAL					
T4C					
24/7 Dads					
Total	\$ 23,010,201	\$ 495,422	\$ 2,455,645		\$ 345,123
					\$ 26,306,391.00

As the chart below shows, programming completions by the population drastically increased between 2017-2020. The creation of the Division of Reentry Services allowed the department to expand programming in the communities and institutions with dedicated staff to facilitate programs. In response to COVID, the Division of Reentry Services offered virtual programming along with reviewing and approving community providers to also facilitate virtual programming options to the population. In FY2022 a combination of virtual and in-person programming was offered to ensure program availability for the population. As a result of this, you will see the increase in program completions for FY2022 from the prior year.

Many program completions grant an offender 30-90 days off of their sentence, which in turn saves the state funds for not incarcerating at lengthier sentences or supervising for longer periods in the communities.

Annual Program Completions (All Programs in All DOC Populations)						
Fiscal Year	2017	2018	2019	2020	2021	2022
Total Number Program Completions	6,845	17,615	24,598	25,107	17,671	23,886

The foundation of the offender reentry process is having a validated risk and needs assessment tool that provides individual information on an offender's potential to recidivate as well as outlines the needs of the offender for the department to address. The criminogenic needs can then be addressed in various ways, including new or revised programming. Prior to 11 RS HB 463, offenders were primarily placed into programming at their request. 11 RS HB 463 required the department to administer a validated risk and needs assessment to assess the criminal risk factors of all inmates who are eligible. In 2011, DOC fully implemented the Level of Service/Case Management Inventory (LSCMI) tool to complete risk and needs assessments.

IN 2017, after extensive analysis and review, the department elected to switch to a new risk and needs assessment tool at the beginning of Fiscal Year 2018. The Kentucky Risk Assessment System (KyRAS) delivers the same effectiveness as the previous assessment tool while providing a cost reduction for the department. The KyRAS tool is less staff intensive to administer and has been placed into the department's offender management system, which allows for additional staff productivity.

The risk and needs assessment is completed at the time of intake into a state prison and annually thereafter while incarcerated. It is also conducted at the time of the Pre-Sentence Investigation report prior to sentencing as well as while someone is on supervision with Probation and Parole. The tool is used to identify offenders' criminogenic needs and determine their risk of recidivism based on those identified needs. Criminogenic needs are identified in the following areas:

- Anti-Social Attitude
- Anti-Social Peers
- Anti-Social Personality
- Family

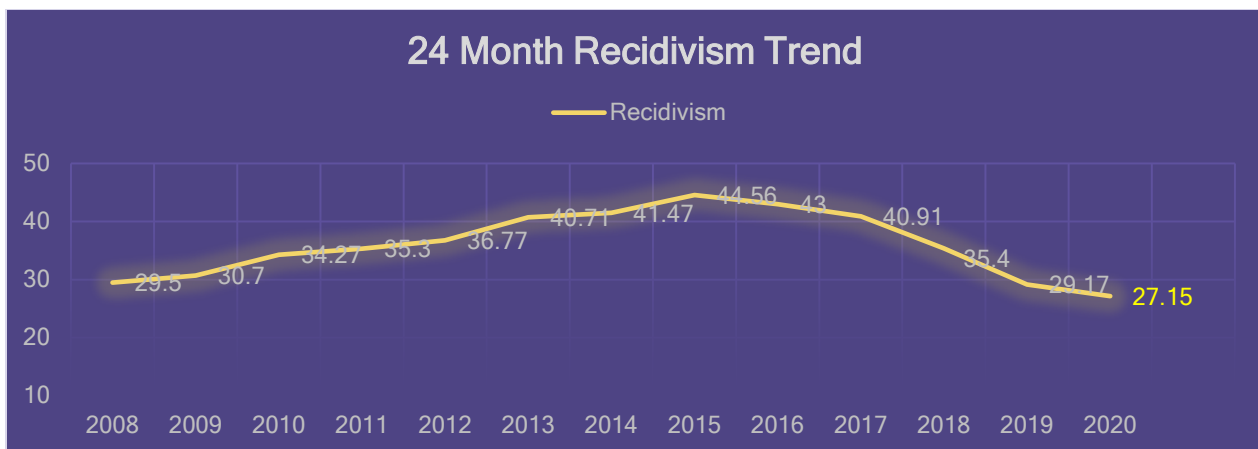
- Substance Abuse
- Education/Employment
- Prosocial Activities

While not a criminogenic need, a static risk factor accounted for in the KyRAS assessment is criminal history. This is a factor used to predict risk to recidivate.

In Fiscal Year 2022 the department completed 73,066 KyRAS assessments. Analysis of the assessments shows common themes. In local jails and reentry service centers, offenders have the following primary needs: education/employment and substance use treatment. For those in prison and on community supervision the common primary needs are: family support, employment/education and substance abuse treatment.

11 RS HB 463 suggests the use of a validated risk and needs assessment tool, case planning, proper program referrals to evidence-based programming, reentry initiatives and departmental collaboration to ensure the success of the justice-involved population to ultimately reduce recidivism rates.

Recidivism, as defined by Kentucky Department of Corrections in CPP 5.1, is a re-incarceration in a Kentucky correctional facility within 24 months of a release from custody. Re-Incarceration is categorized as either a new felony commitment or a result of a technical violation of supervision. The 2022 recidivism rate is comprised of offenders released from custody in 2020. From 2008 to 2017, recidivism steadily increased each year. However, 2017 was the first year of a slight decrease in the recidivism rate, with a 1.56% drop from 44.56% to 43.00%. As the chart below shows, a continued decrease in recidivism rates for 2022 – down to 27.15%, which is a historic low for the second year in a row.



Recidivism is steadily declining in the state due to the continued reentry efforts of DOC and measures put into place like 11 RS HB 463, which provide services and additional opportunities to the justice-involved population.

After a review of various interdepartmental policies and procedures, amendments were made in 2022 to increase staff effectiveness and provide better success for the DOC population. These include:

- Improvements to the State ID project to process State ID cards electronically for efficiency.
- Expansion of I State ID pilot project state-wide.
- Expansion of Transportation Voucher pilot project statewide.
- Utilization of grant funds to pilot a Smartphone Study project. This project began in select Probation and Parole offices to provide those reentering into society with a cell phone loaded with resources to further assist success while under supervision.
- Expansion of Train the Trainers in Moral Reconciliation Therapy to increase training capacities ultimately getting programming to the population at a faster rate.
- Addition of MRT Trauma into the course catalogue to address inmates' trauma needs.
- Creation of the Employment Pipeline pilot project. In collaboration with the KY Chamber of Commerce, DOC utilizes this project to get inmates employed as early as day 1 of release from incarceration.
- eKentucky Advanced Manufacturing Institute (eKami) groundbreaking at EKCC. eKami, a workforce development training facility with a location now on prison grounds, trains applicable inmates in automation and robotics prior to release from incarceration. This allows the population to earn national credentials from National Institute of Metalworking Skills and leading robotics manufacturers.
- Addition of electronic tablets to the inmate population, bringing technology that allows virtual visitation, uploaded resources and additional access to programming/course availability.
- Creation of the Division of Compliance. This new division has five branches to assist DOC: Accreditation, PREA, Safety, Contract Management, Program Credit. The division also includes the Ombudsman's Office. It is comprised of 28 staff to ensure compliance across the division in all areas listed.

All of these amendments and departmental efforts have aided in the reduction of recidivism.

In order to provide successful reentry for offenders, the department has been diligent in implementing and maintaining standards as set forth in 11 RS HB 463. In 2018, the Division of Reentry Services was established. Within the Division, staff dedicated to all reentry needs as an inmate approaches release into the community and meeting the needs of individuals on community supervision. DOC approved programming is provided by members of the Division of Reentry staff within the communities and state prisons in conjunction with departmental approved community partners and vendors.

The Division of Reentry Services also hosts numerous events for the justice-involved population. During the COVID-19 nationwide pandemic, the Division was not able to host the number of events as they have in prior years. In-person services like these events halted in 2020 continuing into 2021 and 2022. The following chart shows numbers for the events held within the Division of Reentry Services.

Number of Events Hosted by Division of Reentry Services	2018	2019	2020	2021	2022
Expungement Sessions	24	52	13	17	34
Reentry Simulations	26	34	12	10	12
Job & Resource Fairs	27	20	1	0	1

To eliminate barriers faced by the justice-involved population while on active supervision or as they are reenter society, the Division of Reentry Services, in conjunction with the Division of Probation and Parole and Addiction Services, offer programs throughout the state to aid a successful reentry. Some of these programs include providing GED referrals to the local Adult Education offices, completing person-centered employment assessments and referring individuals to local employers who offer second chance employment, partnering with the Department of Transportation to issue vouchers for free transportation to medical appointments, addiction treatment, education, employment and providing a state identification card upon release. All programs are grant- or foundation-funded, no state funds are utilized. Number of programs provided from DOC to assist with removing barriers for the justice-involved population in 2022:

GED Referrals	1,011
Employment Assessments	3,478
Transportation Vouchers	12,577
State ID's	1,100

The department also collaborates with various state agencies to promote the success of the offender population. In 2022, The Division of Reentry Services worked with local communities across the state to maintain 10 reentry councils. These councils involve stakeholders from multiple areas to include; courts, mental health agencies, public health services, education, veteran's affairs, housing, faith-based organizations, employers, social services and engaged citizens. The councils have assisted in hosting expungement workshops, resource and job fairs and family group sessions for the justice-involved population in 2022. The following reentry councils meet routinely, representing communities throughout the commonwealth:

- Northeast Kentucky Reentry Council
- Green River Reentry Council
- Western Kentucky Reentry Council
- Southeast Kentucky Reentry Taskforce
- Southern Kentucky Reentry Council
- Central Kentucky Reentry Coalition
- Greater Louisville Reentry Council
- Eastern Kentucky Reentry Council
- Northern Kentucky Reentry Team
- FIVCO Reentry Council

2023 Department of Corrections Goals

DOC remains committed to enhancing public safety and reducing recidivism in 2023 through the following strategies:

- Continued focus on programming for the department to ensure necessary changes are implemented and consistency across all areas for program delivery.
- Continue to expand reentry services to the jail state inmate population.
 - Expansion of resource options to the jail state inmate population to include identification paperwork for the time of release.
- Enhance medical and mental health services to the state inmate population housed in county jails.
- Conduct pilot programs in Adult Institutions, jails and communities to evaluate effectiveness to determine how best to achieve successful reentry.
- Collaborate with various state agencies to enhance procedures for offenders.
- Expand community relationships to gather additional resources to enhance offender reentry.
- Utilize faith-based groups willing to assist the offender population in hopes of providing successful reentry into the communities.
- Expand technology use for those in state prisons.
- Introduce education-specific programming to assist with employment after release from incarceration.

DOC will continue to implement changes and increase effectiveness to better serve the justice-involved population in 2023 and promote successful reentry within the commonwealth.