



HB463 Annual Report 2018

Kentucky Department of Corrections

Mission Statement:

To protect the citizens of the Commonwealth and to provide a safe, secure and humane environment for staff and offenders in carrying out the mandates of the legislative and judicial processes; and, to provide opportunities for offenders to acquire skills which facilitate non-criminal behavior.

Introduction

In 2010, the Kentucky legislature established the bipartisan, inter-branch 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 drives for prison growth in the state:

- An increase in arrests and court cases from 2001 to 2009 served as a contributing factor, with an increase in adult arrest rates by thirty-two (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 twelve (12) years.
- An increased incarceration rate of drug offenders contributed to the increased prison population.

Findings of the task force led to a set of reforms that were codified in the Public Safety and Offender Accountability Act of 2011, KY House Bill 463 (HB463). The legislation was the first major criminal justice reform policy in the state in over thirty (30) years. HB463 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 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 report will highlight the most recent efforts made by the Kentucky Department of Corrections in implementing evidence-based practices with hopes of reducing recidivism in the Commonwealth throughout 2018.

2018 Annual Report

It is the mission of Kentucky Department of Corrections to provide opportunities for offenders to acquire skills, which facilitate non-criminal behavior. The Department has worked diligently to implement evidence-based practices and to provide additional services and support to the justice-involved population. Since HB463 was enacted, the Department of Corrections can cite the following accomplishments:

- Implementation of a validated risk and need assessment tool across the Department that is integrated into the Kentucky offender management system and provides individualized case plans for the population.
- Training of Corrections staff in Motivational Interviewing techniques, cognitive behavioral programming, risk and needs assessment and case planning.
- Implementation of evidence-based programs in all Adult Institutions as well as every Probation and Parole District.
- Restructuring of program assignments to ensure individuals with moderate or high needs receive targeted treatment interventions.
- Integration of program tracking for Adult Institutions into the Kentucky offender management system.
- Development of a promising practice life skills program, Portal New Directions, for the offender population.
- Application of quality assurance for evidence-based programming.
- Utilization of graduated sanctions in lieu of incarceration for technical violations of community supervision.

The Department of Corrections' population for 2018 consisted of 20,380 admissions and 20,135 releases, with an average daily population of 24,235. In the Commonwealth, the 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.

HB463 gives direction for the Department to decrease the state's population, reduce incarceration costs, reduce crime and increase public safety. It allows savings from reduced prison costs be placed into drug treatment and evidence-based practices for offenders in need of assistance. The Department of Corrections works diligently to ensure offenders in need are receiving treatment and/or programming. Being able to verify quality assurance and tracking of programs is key to ensuring best practices are occurring in the state. HB463 provided the opportunity for funds to be allocated for program tracking in Kentucky Offender Management System (KOMS).

To address the needs of the offender population, numerous programs are offered throughout the institutions, jails, reentry service centers and in the communities. The Department of Corrections offers Evidence-Based Programs and Practices as well as

Promising Practices Programs and Life Skills programs in the state. This report will show the programs and practices offered in 2018 to the offender population.

Evidence-Based Practices & Programs

Evidence-Based Practices means 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 offender’s behavior. This program targets criminal thinking and behavior modification.

MRT Specialized Programs – These are cognitive based programs based on the MRT model with a focus in specific areas. Examples of these program areas include Anger Management, Trauma, Veterans, Parenting, Relapse Prevention and Mentors.

Pathfinders – A cognitive based program that involves team building, problem solving, life management, communication, and stress management.

Substance Abuse Treatment Program – Designed to address substance abuse and behavior modification issues to teach alternative ways to effectively combat addiction.

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

Inside/Out Dads – Cognitive and attitudinal change program while in custody, helping men to become involved, responsible and committed fathers.

24/7 Dads – Community version to Inside/Out Dads, encouraging men to become involved, responsible and committed fathers.

Thinking for a Change – A program offered in both community and institutional settings helping offenders examine their attitudes, beliefs and thinking patterns.

Willow – A co-occurring program designed to address both mental health and substance abuse treatment simultaneously for women of incarceration.

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

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

SMART (Supervision, Motivation, Accountability, Responsibility and Treatment) – High-intensity supervision program offered in Probation and Parole, modeled after the HOPE Probation (Hawaii’s Opportunity Probation with Enforcement) which provides immediate sanctions for violations.

Carey Guides – Brief intervention tools to help DOC staff effectively address skill deficits in short, structured interventions. Tools utilized by Probation and Parole.

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

Educational and/or Vocational Programs – Offered in various adult institutions 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.

Braille Transcribing	Career Readiness	Carpentry
College Programs	Commercial Driver’s Licenses	Electrical
Computer Literacy	Culinary Arts	Introduction to Computer Science
Basic Education	Recycling Materials Management	Computer Management
Xerox	Audio/Video	Industrial Coating
Business Studies	Cabling/Networking	Welding
Carpentry	Computer Aided Design	Auto Technology/Small engine repair
Collision Repair	Construction Management	Tutor Certification
Electrical	Entrepreneurship	Upholstery
Facility Maintenance	Heating and Air	National Career Readiness Certificate
Horticulture	Industrial Coating	Plumbing
Insulating	Masonry	Water Treatment
	Vocational Technology Fundamentals	

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.

Phoenix Program – Residential dual-diagnosis treatment program offered at Kentucky State Reformatory for men with mental illness and substance abuse disorder, facilitated by mental health staff.

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

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 – Addresses non-criminogenic needs to reentry for community offenders as well as those entering back into the community in the near future. Gives every day guidance to barriers the justice-involved population faces.

Soft Skills Boot Camp – Addresses non-criminogenic reentry needs focused on soft skills for employment.

The following table represents program completions for fiscal year 2018 Evidence-Based Programs, Promising Practices Programs and Life Skills Programs. This is inclusive of the entire Department of Corrections population:

Program	Completions
Vocational/Academic	1,767
Substance Abuse/Mental Health	6,572
Sex Offender Treatment	348
Thinking for a Change	15
24/7 Dads	67
Portal New Directions	2,616
Moral Reconation Therapy	6,230
Total	17,615

The Department of Corrections has worked diligently since HB463 implementation to effectively deliver evidence-based practices to our population while being fiscally responsible. Fiscal Year 2018 was more costly as compared to the previous year for evidence-based programming due to programming expansions within the Department.

In Fiscal Year 2017, the Department used over \$23.1 million in funds to support evidence-based programming, while in Fiscal Year 2018 the Department used over \$24.0 million in funds. The Department utilized General, Federal, Senate Bill 192 Substance Abuse Treatment funding and Kentucky Centralized Inmate Commissary, Inc. (KCIC) funds, to support many evidence-based programs in fiscal year 2017. 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 in turn put back into programming for the population.

Program	General Fund	Federal Fund	SB192 Fund	KCIC/Canteen
Substance Abuse	\$ 12,919,778	\$ 224,220	\$ 1,533,140	\$ 6,191
Sex Offender Treatment Program	\$ 2,275,580			
Education	\$ 5,059,646	\$ 6,822		\$ 259,965
MRT	\$ 238,097			\$ 1,470,493
Pathfinders	\$ 3,646			\$ 6,812
PORTAL				
T4C				\$ 802
24/7 Dads				
Total	\$ 20,496,748	\$ 231,042	\$ 1,533,140	\$ 1,744,262
				\$ 24,005,191.24

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 to include evidence-based programming. Prior to HB463, offenders were primarily placed into programming at their request. HB463 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, the Department of Corrections fully implemented the Level of Service/Case Management Inventory (LSCMI) tool to complete risk and needs assessments.

During 2017, after extensive analysis and review, the Department elected to switch to a new risk and needs assessment tool starting in Fiscal Year 2018. The Kentucky Risk Assessment System (KyRAS) provides the same amount of 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 prior to the offender's release from prison to supervision within the Department of Corrections and also completed for those on Court ordered supervision within the Department. The tool is used to identify offender's criminogenic needs and determine their risk of recidivism based on those identified needs. Criminogenic needs are identified in these 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.

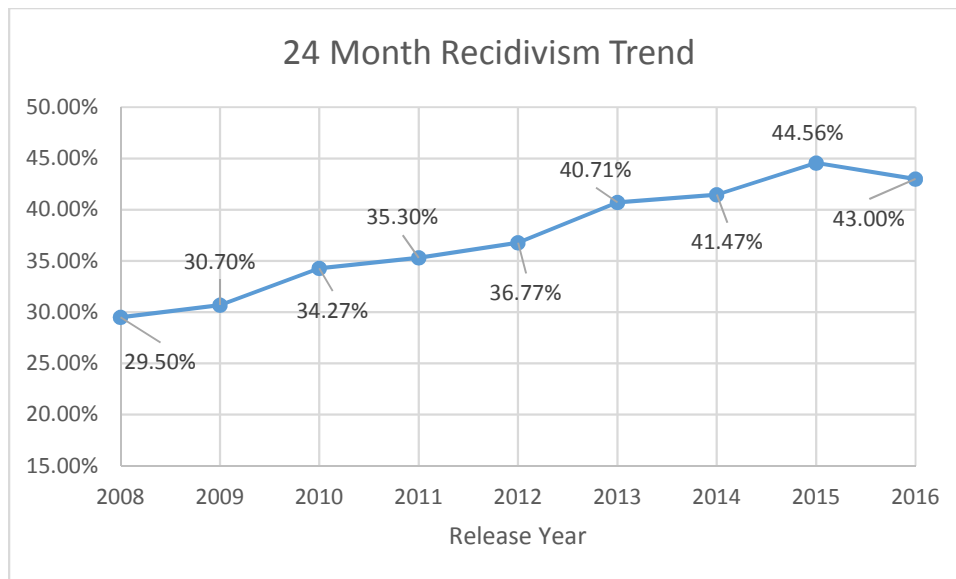
During Fiscal Year 2018, the Department completed 84,258 KyRAS assessments. This is an increase in risk and need assessments from fiscal year 2017 by approximately 30,000. A factor to the rise in assessments is quality assurance implementation in 2018 to ensure staff in all areas of the Department were conducting the assessments per policy.

Analysis of the assessments shows common themes. In local jails and reentry service centers, offenders have the following primary needs: prosocial activities, anti-social peers, education/employment and criminal history. In prisons, offenders have these common primary needs: prosocial activities, anti-social peers and criminal history. The offenders on community supervision show a primary common need of prosocial activities and education/employment. It is clear that criminal behavior becomes a factor when individuals lack appropriate, structured time.

The following chart shows risk levels for the Department of Corrections population in 2018:

RISK LEVEL	Prison	Prison	Jail/RSC	Jail/RSC	Community Supervision	Community Supervision
Very Low	8	0.06%	17	0.14%	327	0.75%
Low	4,574	37.06%	1,395	11.73%	15,805	36.46%
Low/Moderate	52	0.42%	559	4.70%	4,228	9.75%
Moderate	4,875	39.50%	5,885	49.48%	19,246	44.40%
High	2,437	19.75%	3,244	27.28%	2,656	6.13%
Very High	244	1.98%	406	3.41%	151	0.35%
Not Assessed	152	1.23%	387	3.25%	936	2.16%
	12,342	100.00%	11,893	100.00%	43,349	100.00%

HB463 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 (KYDOC), is a re-incarceration 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 2018 recidivism rate is comprised of offenders released from custody in 2016. Since 2010, recidivism has steadily increased each year. However, 2018 is the first year to see a decrease in the recidivism rate with a 1.56% drop from 44.56% to 43.00% as you will see in the below chart.



Recidivism is beginning to decline in the state due to reentry efforts from the Department of Corrections and measures put into place like HB463 which provide services and additional opportunities to the justice-involved population.

After a review of various interdepartmental policies and procedures, a few amendments were made in 2018 to increase staff effectiveness and provide better success for our population.

- CPP 27-10-02 was amended to include that the case management plan is completed with each offender and that any restitution ordered should attempt to be paid if possible, while on Mandatory Reentry Supervision.
- A section was added to CPP 27-13-01 to include Drug and Alcohol Testing Assessment and Referral of Offenders to refer those who test positive to be referred to services within a timeframe outlined by Corrections Policy and Procedure.
- An amendment to CPP 27-24-01 was created to allow release from active supervision for offenders serving a life sentence on parole after five years on active parole. This rewards good behavior for the offender completing all required special conditions and successful reentry into the community along with them being less likely to recidivate after the 5 year period.
- Establishment of CPP 25.13 allowed medical release for pregnant females who meet specific criteria. Under this program, an eligible pregnant offender shall be released from custody to complete a licensed inpatient residential treatment program in the community.
- Implementation of CPP 19.4 to allow low level state inmates for work release. This amendment made private jobs with normal wages available to state inmates.
- SAMAT treatment program credit began being awarded to parolees under community supervision that received six vivitrol monthly injections.
- The Department changed procedure to allow multiple 90-day SAP program good time awards for inmates or parolees.
- The Department took steps to refocus the culture and mission of our existing Halfway House program in 2018. These facilities were rebranded as Reentry Service Centers but will be different in more than just name in 2019. With a renewed focus on programming, treatment, employment and housing our Reentry Service Center residents will be better served and better equipped for a smooth transition following release from custody.

All of these amendments and Departmental efforts have aided in the reduction of recidivism in 2018.

In order to provide successful reentry for offenders, the Department has been diligent in implementation and maintaining standards as set by HB463. In 2018, the Division of Reentry Services was established. Within the Division, there are staff dedicated to focus on all reentry needs when an inmate is being released from custody and also the needs of the individuals on community supervision. Evidence based programming is provided by members of the Division of Reentry staff within the communities. Numerous events are hosted by the Division to service the justice-involved population. The following chart shows numbers for the events held within the Division of Reentry Services in 2018.

Event	Number Hosted	Number of Participants
Expungement Sessions	24	1,232
Institution Resource Expositions	11	1,498
Institution Reentry Simulations	17	855
Combined: Expo, Resouce, Job Fair	10	712
Community Resource Expositions	6	452
Community Reentry Simulations	9	N/A
Employment Assessments & Referrals	1477	N/A

The Department collaborates with various state agencies to promote the success of the offender population. In 2018, The Division of Reentry Services worked with local communities across the state to maintain eleven (11) 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 average citizens wishing to help our population. The councils have assisted in hosting expungement workshops, resource and job fairs and family group sessions for the justice-involved population in 2018. The following reentry councils meet monthly, 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 Council
- Greater Louisville Reentry Council
- Bluegrass Reentry Council
- Eastern Kentucky Reentry Council
- Northern Kentucky Reentry Team
- FIVCO Reentry Council

2019 Department of Corrections Recommendations

While significant changes are underway in the Department of Corrections, we must continue to develop strategies to address offender reentry, increase public safety and reduce recidivism.

Strategies for Fiscal Year 2019 include:

- Implement new evidence-based programs and a variety of programming to increase availability and to serve a larger percentage of our population.
- Improve tracking of offender program participation within the Department to include jails and Reentry Service Centers.
- Expand and enhance quality assurance of programming to ensure fidelity and effectiveness.
- Conduct pilot programs in Adult Institutions, Jails and communities to evaluate effectiveness and what will provide successful reentry for the offender population.
- Collaborate with various state agencies to enhance procedures for offenders.
- Expand substance abuse treatment options to address the progressing needs of offenders.
- Focus on employer engagement and expanding employment opportunities for those on supervision in the communities.
- Implement programming and resources to aid the aging and female prison population, as they are the two populations that continue to grow in the state.
- 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.
- Explore alternative sanction options in lieu of incarceration in the Division of Probation and Parole.
- Implement Reentry Mentor Initiative to provide mentoring assistance for the justice-involved population as they enter back in to their communities.

- Develop ways to better address specific reentry barriers such as transportation in the state.

It is the hope of the Department of Corrections to implement changes and increase effectiveness to better serve the justice-involved population in 2019 and promote successful reentry within the Commonwealth.