

 <p><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	Policy Number	Total Pages
	Date Filed	Effective Date
Authority/References KRS 196.035, 439.330, 439.348, 439.3106, 439.3108, 439.470, 533.020, 533.030 P&P ACA 1C-02, 2B-02, 2B-03, 2B-04, 2B-11	27-15-01  June 4, 2015	3  October 2, 2015
	Subject  <b>INVESTIGATING AND REPORTING VIOLATIONS AND UNUSUAL INCIDENTS</b>	

## I. DEFINITIONS

“Approved supervision report” means that the supervision report is submitted to the supervisor for review and is approved by the supervisor.

“Arrest” means the apprehension, legal custody, or seizure of a person by a law enforcement official.

“Major violation” means an inappropriate act by an offender, which poses a serious threat to the community or themselves.

“Minor violation” means an inappropriate act by an offender, which does not pose a serious threat to the community or themselves.

“Unusual incident” means any occurrence or event which may significantly impact public safety, affect the offender’s adjustment, or cause considerable publicity or notoriety.

## II. POLICY and PROCEDURE

A. All arrests and violations shall be reported promptly to the releasing authority as required in CPP 27-15-03 (Graduated Sanctions and Discretionary Detention) (2B-03).

B. Investigations

All reports of an unusual incident or violation (except for a new conviction) shall be investigated as soon as possible, not to exceed three (3) working days after being advised of the incident. Investigation actions shall be noted in the offender management system. (2B-02; 1C-02)

C. New Arrests

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Upon learning of an arrest, the Probation and Parole officer shall, within ten (10) working days, submit a supervision report to the releasing authority. The report shall include the status of the pending charges, charging agency, court dates, and a description of the offense and bond information.

D. New Conviction

If the offender receives a new conviction, the officer shall submit an approved supervision report to the releasing authority, except if the court requires an affidavit.

E. Violation Report

1. Within ten (10) working days of learning of the violation, the Probation and Parole officer shall submit an approved violation report to the releasing authority. The report shall include:

- a. a synopsis of the offender's behavior during the period of supervision,
- b. specifics of current violations,
- c. any extenuating circumstances of the case, and
- d. a recommendation for further action or graduated sanctions in lieu of revocation. Example: referrals, in-patient or out-patient counseling, increase level of supervision.

2. If the recommendation is to proceed with revocation:

- a. in a parole case, the Probation and Parole officer shall follow the procedures in CPP 27-19-01 (Preliminary Revocation Hearing). Parole cases shall be reviewed by the District Supervisor prior to submission to the Parole Board.
- b. in a probation case, the officer shall comply with the reporting directions of the court. Probation cases shall be reviewed by the District Supervisor or designee prior to submission to the court.

F. When violations occur, alternatives to revocation and incarceration shall be considered and utilized to the extent that public safety allows. Incarceration shall be considered only in incidences of:

1. Serious or repetitive violation of the conditions of supervision,

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2. Conviction of a new offense, or
3. The offender's continued presence in the community presents a risk to public safety. (2B-11; 2B-04)

G. Unusual Incident

1. Any unusual incident involving an offender under supervision shall be investigated immediately and an approved supervision report detailing the officer's findings shall be submitted to the releasing authority through the District Supervisor or designee within three (3) working days after learning of the incident. Corrective action may not be necessary; however, the supervision report shall be submitted.
2. Since an unusual occurrence often prompts a press or administrative inquiry, an informational memo shall be submitted to the Director's Office through the Branch Manager.

H. Federal or Out-of-State Convictions

If an offender receives a federal conviction or a conviction in another state, the officer shall obtain a copy of the conviction and submit it along with an approved supervision report to the releasing authority.