

KANSAS DEPARTMENT OF CORRECTIONS

	INTERNAL MANAGEMENT POLICY AND PROCEDURE	SECTION NUMBER 14-135A	PAGE NUMBER 1 of 8
		SUBJECT: PAROLE SERVICES: Management of Domestic Violence Cases	
Approved By:  Secretary of Corrections		Original Date Issued: 03-12-15	Replaces Version Issued: N/A
		CURRENT VERSION EFFECTIVE: 03-12-15	

APPLICABILITY:	<input checked="" type="checkbox"/> ADULT Operations Only	<input type="checkbox"/> JUVENILE Operations Only	<input type="checkbox"/> DEPARTMENT-WIDE
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POLICY STATEMENT

Domestic violence is not an out of control or impulsive act but purposeful behavior with control tactics that occur in repeated events. Offenders with a history of domestic violence will be identified and managed in a manner that addresses the behavior. Supervision strategies should focus on the offender's acceptance of responsibility and accountability for his or her conduct as well as protection of the victim and the community. Any incidence of domestic violence committed by an offender on supervision shall be investigated and responded to in a manner that considers both offender and public safety needs.

DEFINITIONS

Affidavit: A written or printed declaration or statement of facts, made voluntarily, and confirmed by the oath or affirmation of the party making it, taken before an officer having authority to administer such an oath, including a notary public.

Batterer Intervention: A program that holds the perpetrator of domestic violence accountable, promotes nonviolent behavior and promotes safety for victims. On a wider scale, Batterer Intervention seeks to create social norms that reject, rather than affirm or ignore, battering within intimate family and household relationships.

Dating Relationship: A social relationship of a romantic nature. In addition to any other factors the court deems relevant, the following may be considered when making a determination of whether a relationship exists or existed: nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since termination of the relationship, if applicable.

Domestic Violence: An act or threatened act of violence against a person with whom the offender is involved or has been involved as an intimate partner. Domestic violence also includes any other crime committed against a person or property, or any municipal ordinance violation against a person or property, when directed against a person with whom the offender is involved or has been involved in a dating relationship. A pattern of violence or abusive behavior against a family member living in the same household may also be considered domestic violence.

Intimate Relationship: A type of person relationship which includes a close emotional bond and/or sexual activity.

Offender: A person who is in the legal custody of the Kansas Department of Corrections. This term refers to inmates, persons under post-incarceration supervision or those being supervised under the terms of the Probation and Parole Interstate Compact.

Offensive Contact: Engaging in physical, sexual or psychological abuse of another person.

Partner: For purposes of this policy, is defined as: 1) Spouses, whether residing together or not; 2) Former spouses, whether residing together or not, regardless of length of separation; 3) Persons who are involved in a dating relationship with each other, regardless of whether or not they currently live together; 4) Persons who have, in the past, had a dating relationship with each other, regardless of whether they lived together; and 5) Persons who have a child in common regardless of whether they have been married or have lived together at any time; this includes if a woman is pregnant and the man is alleged to be the father.

Probable Cause: A reasonable ground of suspicion, supported by circumstances sufficiently strong in themselves, to cause a person of ordinary prudence and caution to conscientiously entertain a reasonable belief that it appears a violation of a condition of post-release supervision (parole) has been committed.

Psychological Abuse: The use of power or influence to adversely affect another person's mental and/or emotional well-being. Psychological and/or emotional abuse may take the form of verbal abuse--using words to traumatize the victim by threatening certain acts or using coercion (e.g. humiliating the victim, controlling what they can or cannot do, withholding information, name calling, etc.).

Safety Plan: A plan developed by the victim, with the assistance of the Office of Victim Services, to predict and prepare for scenarios of possible risk from the offender.

Stalking: Defined as the: (1) Recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear; (2) engaging in a course of conduct targeted at a specific person with knowledge that the course of conduct will place the targeted person in fear for such person's safety or the safety of a member of such person's immediate family; or (3) after being served with, or otherwise provided notice of, any protective order included in K.S.A. 21-3843, prior to its repeal or K.S.A. 2014 Supp. 21-5924, and amendments thereto, that prohibits contact with a targeted person, recklessly engaging in at least one act listed in subsection (f)(1) that violates the provisions of the order and would cause a reasonable person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear.

Victim: Any person who suffers direct or threatened physical, emotional or financial harm as the result of the commission or attempted commission of a crime against a person.

PROCEDURES

I. Domestic Violence Case Supervision

- A. All cases should undergo a review for domestic violence history prior to the initial interview with the offender. The available case material shall be reviewed to determine if any of the following indicators are present:
 - 1. Crime of conviction(s) or parole violation(s) that are related to domestic violence;
 - 2. Any history of civil protection orders and violation of those orders;
 - 3. Any history of domestic violence that has been obtained from the offender, treatment records, Victim Services staff, family members, previous partners, or others involved in the offender's life or offender's living situation; or
 - 4. Special conditions of parole indicating a history of domestic violence (e.g., condition for Batterers Intervention program assessment).
- B. Offenders who meet any of the following criteria shall be managed as a domestic violence (DV) offender for the current term of supervision:
 - 1. The current conviction(s) has a DV designation from the court and/or is for behavior related to domestic or intimate partner violence.

2. Convicted of a misdemeanor offense related to domestic violence while on supervision, during current sentence.
 3. During current sentence, a supervision period was revoked for a personal conduct violation related to intimate partner violence.
 4. Released to supervision with a Prisoner Review Board special condition for Batterer Intervention programming.
 5. During current sentence, the offender has been assessed by a Batterer Intervention provider and referred for batterer's intervention programming.
- C. Offenders who are identified as a DV offender shall have the status and rationale noted in a contact note by the assigned parole officer.
- D. Offenders who have a history of domestic violence that does not meet the criteria in Section I.B. above shall not be managed as a DV offender.
1. Any risk factors or needs related to DV may be targeted during supervision through the use of case management efforts and the imposition of individualized special conditions, as determined necessary by the parole officer.

II. Supervision and Management of DV Offenders

- A. Offenders, who are identified as a DV offender, per Section I.B., above, will be notified of their designation by the parole officer and that special conditions of supervision related to that status apply.
1. Special conditions required for use with DV offenders are:
 - a. Programs;
 - b. Intimate partner disclosure;
 - c. Cohabitation and intimate relationships;
 - d. Release of information; and
 - e. Court orders and investigations.
 2. The Domestic Violence Offender Supervision Handbook shall be reviewed with the offender to clarify the special conditions and responsibilities.
 - a. The offender shall sign the acknowledgment form and receive a copy of the handbook. The original acknowledgment form is to be retained in the case file.
 - b. The five (5) required domestic violence special conditions do not need to be entered in TOADS unless a violation occurs.
 3. As needed, additional special conditions (Attachment A) may be imposed to assist with case management, offender accountability and to promote victim safety.
- B. Offenders who are designated as a KDOC DV offender shall be referred for an assessment with a Batterer Intervention Program (BIP). If programming is recommended, the offender shall be required to complete the program.
1. If an offender is within four (4) months of discharge from sentence, the assessment may be waived by the Parole Supervisor, if consultation with the BIP provider indicates that the time limitation would make programming impractical or ineffective.

2. Referrals for BIP shall be made to a KDOC provider, if available.
3. If a KDOC BIP provider is not available, or if suggested by a KDOC provider, an offender may be referred to a community BIP as long as the program is certified by the Kansas Attorney General.
 - a. A release of information form shall be initiated by the parole officer with any community based Batterer Intervention Program to which the offender is referred so that an exchange of information can occur regarding the offender's progress in that program.
 - b. Frequent communication, no less than monthly, shall occur between the supervising officer and the BIP regarding enrollment, attendance and participation.
- C. If there is not a BIP available in the area where the offender resides, the parole officer shall consult with a KDOC BIP provider to identify any alternative resources that may be available to help reduce the offender's risk for domestic violence.

III. Offender-Victim Contact

- A. The parole officer may impose a no contact order to reinforce any Protection from Abuse or Protection from Stalking order at a victim's request, and/or when it is determined to be necessary to reinforce the Court order and increase the offender's level of compliance.
 1. Victim services staff may be consulted for assistance in making contact with the victim, the Court, or to provide information to be used in determining the need for a Special Condition.
- B. Any special conditions shall be issued in accordance with IMPP 14-110 including restrictions related to no contact orders with an offender's natural or adopted children.
- C. No contact special conditions for domestic violence cases shall use the language specified in Attachment A.
 1. If requested, the parole officer must provide a copy of any no contact order to the victim, either directly or through Victim Services.
- D. The victim may request that a no contact order be waived by submitting a Request of Waiver of No Contact form, Attachment C.
 1. The Waiver of No Contact form shall only be used by or with the assistance of the Victim Services Liaison, and after providing the victim with information and resources related to his/her circumstances and decision.
 2. The decision whether or not to withdraw a No Contact Order shall be made by the assigned parole officer and his/her parole supervisor.
 - a. A copy of the signed Waiver form shall be retained by the parole officer in the offender's case file.

IV. Victim Reintegration Process

- A. If the victim wishes to reintegrate with the offender, and there are no Court Orders that prevent the contact, the request for reintegration shall be initiated by the victim through the Victim Services Liaison.
 1. The parole officer shall review the reported history of violence and consult with the Victim Services Liaison and any additional staff/treatment providers with information about the

offender's history of violence and known safety concerns of the victim before making a decision regarding reintegration with the victim.

2. If reintegration is to move forward, the parole officer shall establish a reintegration plan with the offender in consultation with the Victim Services Liaison. This plan shall include the action steps the offender shall be required to take for the reintegration process to move forward, and will focus only on the offender's behavior, with the primary goal of victim safety.
3. If a no contact order is in place and the offender is to be allowed contact through the reintegration process, the special condition should be withdrawn.

V. Offenders as a Victim of Domestic Violence

- A. If a parole officer determines that an offender is a victim of domestic violence, the officer shall:
 1. Inform the offender of the confidentiality policies, limitations to confidentiality and the officer's role as a mandatory reporter if a child(ren) or the elderly are believed to be at risk.
 2. Ensure the offender has contact information for the local domestic violence resources and programming, but do not mandate participation.
 3. Provide or connect the offender with any further case management that increases options (e.g., assistance with housing, employment, etc.).
 4. Do not impose special conditions which may place the offender in further danger of a domestic violence incident. Request a modification of existing conditions that may negatively impact the offender's safety, such as contact restrictions, residency requirements or couples counseling.
 5. Assist the offender in identifying safety concerns and assist with preliminary safety planning.
 6. Ask the offender who is abused to identify how to make contact in a way that supports their safety.
 7. Avoid practices that could put the abused offender at further risk:
 - a. Do not initiate contact with the offender while his/her abuser is present.
 - b. Do not mandate the offender and abuser attend couples counseling.
 - c. Do not mandate the offender to participate in a batterer program.
 - d. Avoid siding or sympathizing with abusers during collateral contact.
 - e. Ensure that any referrals for mental health services are only made for reasons that are not connected to the domestic abuse.
- B. If an officer determines that an offender is currently a victim of domestic violence, and the perpetrator (abuser) is another supervised offender, the parole officer:
 1. Shall not supervise both offenders – the abused victim and perpetrator must be supervised by separate officers. Exceptions may be approved by the parole director.
 2. Shall conduct office visits with the abused victim at a separate time on a separate day from the office visits scheduled for perpetrator.

3. Information about the abused victim's office visit date or appointment time shall not be provided to the perpetrator (abuser).

VI. Investigating Domestic Violence

- A. When an officer becomes aware of an alleged act of domestic violence perpetrated by an offender, an investigation shall be conducted immediately, in accordance with IMPP 14-137.
- B. The victim shall be encouraged to file a police report at the earliest opportunity.
 1. At the victim's request, if the incident has not already been reported, local law enforcement officers may be contacted and requested to take a report at the victim's location.
- C. Parole officers shall provide victims with the Victim Services Liaison's contact information and encourage their use for support, assistance or resource referrals.
 1. The Parole Officer shall notify the Victim Services liaison of the circumstances and provide the victim's contact information in a timely manner, and no later than two (2) working days after the alleged violation is discovered.
- D. General guidelines for working with victims of domestic violence as listed in Section VII., below, should be followed during the investigation and any subsequent or related proceedings.
- E. When possible, evidence outside of victim testimony shall be collected and used to relieve the victim of the burden of providing testimony and help protect him/her from additional risk.
 1. Examples include testimony from other witnesses, physical evidence and photographs that may be admitted at the discretion of the hearing officer.
- F. The Domestic Violence Parole Investigation Form may be completed to aid in the information collection process (Attachment E). This form is for informational purposes only and is not to be included as evidence to support a parole violation or revocation.
- G. Should an investigation reveal that the offender appears to have committed an act of domestic violence, the case shall be reported to the parole supervisor and a violation staffing shall occur.
 1. If used, a copy of the Domestic Violence Parole Investigation form (Attachment E) shall be provided to the parole supervisor and the Victim Services Liaison.
 2. A response to the violation/alleged violation shall be made in accordance with IMPP 14-137.
 - a. if the victim will not be testifying at a parole revocation hearing, other sources of evidence shall be considered for use, if available.
 - b. Decision making should be made with an awareness of the victim's perspective and how potential response(s) to the violation could impact any immediate future safety concerns.
 3. If a decision is made to arrest or detain the offender, an A&D or warrant should be issued in accordance with IMPP 14-139.

VII. Communication with Victims

- A. Any communication between the victim and the parole officer must be done with respect and special regard for the victim's safety, privacy rights and confidentiality needs.

- B. General guidelines for working with victims of domestic violence shall be followed to include, but not limited to:
1. Advising the victim that his/her participation in an investigation is voluntary wherein he/she may begin or cease participation at any time;
 2. Asking the victim what is the best way to maintain his/her confidentiality and safety when making contact;
 3. Informing the victim of confidentiality policies, limitations to confidentiality and mandated reporting requires related to child or elder abuse.
 4. Advise the victim that details of the crime may be made public.
 5. Understanding that a victim, who is abused, is constantly evaluating his/her risks and from day-to-day his/her needs and safety concerns may vary.
 6. During an investigation, a parole officer should never question a victim or someone suspected to be a victim in front of an offender.
 7. The offender shall not be advised of any information obtained from the victim unless the victim intends to testify against the offender in the revocation proceeding, or to submit testimony through an affidavit.
 - a. If it is apparent that the victim has had contact with the supervising officer (e.g., the victim testified at a Morrissey hearing, victim signs a Waiver of No Contact, etc.), the parole officer shall not discuss the content of that contact with the offender.
 8. In cases when a victim/family member discloses domestic violence that was not previously know, it is extremely important not to identify the source of information to the offender.
- C. If a parole officer is contacted by a previous, potential or current victim of domestic violence or a person who is a witness to an act of domestic violence, all reasonable efforts shall be made to discuss and/or provide resource and safety information to the victim or witness.
1. This information may include, but is not limited to personal safety considerations, available housing and resources, processes related to protection orders, parole supervision procedures and limitations on confidentiality.
 2. A referral to Victim Services should be made if additional information or assistance is needed, or requested.
- D. When requested, supervising officers shall give public information about all conditions of supervision (except any special conditions pertaining to mental health or substance abuse counseling) and any supervision condition violations that result in revocation.

VIII. Documentation and Confidentiality of Victim Information

- A. Parole Officers may document and maintain victim contact information in the case file and/or contact notes when:
1. The victim has provided the information to the parole officer and requested that he/she be contacted in the future, if needed.
 2. The information is necessary for the ongoing investigation of condition violation.

- B. Victim contact information that is provided to the parole officer shall be provided to the Victim Services Liaison by the parole officer in a time manner.
- C. Victim contact information is confidential and shall not be shared with offenders.
 - 1. To help maintain the confidentiality of victim information, the case file, particularly any contacts containing victim information, shall never be accessible to or visible by an offender.
 - 2. File security and storage shall be maintained in accordance with IMPP 05-103.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REPORTS REQUIRED

None.

REFERENCES

K.S.A. 21-3412a, prior to its repeal; K.S.A. 2014 Supp. 21-5414; 21-3438, prior to its repeal; K.S.A. 2014 Supp. 21-5427; 21-3843, prior to its repeal; K.S.A. 2014 Supp. 21-5924; K.S.A. 2014 Supp. 21-6604; K.S.A. 22-2307, 22-2401, 22-3711, 74-5602, 74-7333, 74-335
IMPP 05-103, 14-110, 14-137; 14-139

ATTACHMENTS

Attachment	Title of Attachment	Page Total
A	Special Conditions for Use with Domestic Violence Offenders	2 page
B	Intimate Partner Disclosure Contract	1 page
C	Request for Waiver of No Contract	1 page
D	Domestic Violence Offender Handbook	5 pages
E	Domestic Violence Parole Investigation Form	1 page

SPECIAL CONDITIONS AVAILABLE FOR USE WITH DOMESTIC VIOLENCE OFFENDERS

NOTE: Conditions marked with (DV) are special conditions designed for use by domestic violence cases, and listed as a DV special in TOADS.

Batterer Intervention (DV)

I acknowledge that I have been ordered and directed to participate in an assessment for appropriate counseling with emphasis on batterer's intervention and to comply with all the recommendations.

Child Support Compliance (DV)

I acknowledge that I have been ordered and directed to comply with any child support enforcement or paternity action or other financial recovery action associated with child or family support.

Compliance with CPS/APS (DV)

I acknowledge that I have been ordered and directed to cooperate with any matter involving child protective services or adult protective services.

Court Orders (DV)

I acknowledge that I have been ordered and directed to comply with all court orders including protection from stalking or protection from abuse orders.

Court Order Disclosure (DV)

I acknowledge that I have been ordered and directed to provide to my parole officer any court documents, protection orders, custody or visitation orders and civil court judgments that are currently in effect against me.

Civil Court Process Disclosure (DV)

I acknowledge that I have been ordered and directed to inform my parole officer of any civil or criminal court process related to my family, including but not limited to child support, visitation or custody.

Curfew

I acknowledge that I have been ordered and directed to be at my approved residence during the times specified by my parole officer.

Division Conditions (DV)

I acknowledge that I have been ordered and directed to follow all the conditions as specified in my diversion agreement.

Diversion Inform (DV)

I acknowledge that I have been ordered and directed to inform my parole officer upon entering into a diversion agreement, or of the existence of a current diversion agreement.

GPS Monitoring

I acknowledge that I have been ordered and directed to wear a GPS monitoring device on my person until otherwise directed by my parole officer. I understand that I am responsible for the proper care of the GPS equipment issued to me. I also understand that I will be held financially responsible for any loss or damage to the equipment, and could be criminally prosecuted for equipment damage or theft.

Intimate Relationships and Cohabitation

I acknowledge that I have been ordered and directed to notify my parole officer of my involvement in intimate relationships, and that I may not cohabit with anyone unless approved by my parole officer. Cohabitation is an arrangement where two (2) people live together in an emotionally and/or sexually intimate relation on a long-term or permanent basis.

Investigation Disclosure (DV)

I acknowledge that I have been ordered and directed to fully disclose my criminal history and current status in any child custody investigation, paternity action, adoption proceeding or any other civil or family matter.

No Contact (DV)

I acknowledge that I have been ordered and directed not to contact with (victim's name) or his/her family – direct and/or indirect in person, by phone, via computer, in writing, or through a third party. I will not enter the premises of, travel past or loiter near the area where my victim or victim's family frequents, resides, is employed, or attends classes. I will not engage in any type of harassing or stalking behavior nor will I engage someone else in any activity that will harass, intimidate or harm (victim's name) and/or their family in any way.

No Return

I agree not to return to (county name) County in Kansas without advance permission from my parole officer.

No Travel Through/TO (DV)

I acknowledge that I have been ordered and directed not to travel to or through the city/township of (name of city/township) without advance permission from my parole officer.

No Travel Outside of County (DV)

I acknowledge that I have been ordered and directed not to leave (name of county) County, Kansas without advance permission from my parole officer.

Partner Disclosure (DV)

I acknowledge that I have been ordered and directed to complete an intimate partner disclosure and inform any new partner I may have about my history of violence.

Release of Information

I acknowledge that I have been ordered and directed to complete a release of information for (name of individual).

Restitution

I acknowledge that I have been ordered and directed to create a restitution payment plan; I will prepare and submit to my parole officer a budget of all payments including restitution owed.

Intimate Partner Disclosure Contract

Domestic violence is a pattern of behaviors in which one partner attempts to establish or maintain power and control over the other through physical, sexual, economic, and/or psychological abuse. Psychological abuse is the use of power or influence to adversely affect another person's mental and/or emotional well-being. Psychological and/or emotional abuse may take the form of verbal abuse; using words to traumatize the victim by threatening certain acts or using coercion (e.g. humiliating the victim, controlling what they can or cannot do, withholding information, name calling, among others).

Because domestic violence is a pattern of behaviors that you have learned and chosen to engage in, any present or future intimate partners are considered at risk of becoming a victim of your violence. In the interest of enhancing the safety of potential victims within the community, we require that you:

1. Provide your supervising officer with the full name, telephone number, and address of any person with whom you are involved in a dating relationship (a social relationship of a romantic nature). This includes anyone you become involved with in the future.
2. Disclose the extent and nature of your domestic violence to your current intimate partner. Because your intimate partner may be at risk of violence, (s)he has the right to make a decision about her/his own safety based on all public information relating to your domestic violence history. This public information may include arrests, restraining orders and violations, stalking orders and violations, and convictions. You are also encouraged to share with your partner your history of domestic violence that did not come to the attention of the legal system. Your intimate partner will be contacted by your supervising officer to verify that you have completely disclosed all public information relating to your domestic violence. If your intimate partner wishes to continue a relationship with you, (s)he will also be provided with information about the conditions of your supervision and available community resources.
3. Have no offensive contact with your intimate partner. Offensive contact means any kind of physical, sexual or psychological abuse.

I hereby acknowledge that all of the above have been explained to me.

Offender

Date Reviewed

Parole/Probation Officer

Date

Request for Waiver of No Contact

Purpose Statement

- To ensure you are informed of your options and that you have a safety plan in place.
- The intent of this document is not to hold you responsible for the offender's behavior. The offender alone is responsible for his/her actions.

You have requested that _____
Offender Name/Identifying Information

be allowed to have contact with you and/or your child(ren). At any time, you can ask that this waiver be removed and the No Contact order be reinstated. The parole officer is responsible to make decisions regarding the imposition or removal of a No Contact Order.

Please initial the following to verify that you have been given this information:

Initial

- ____ The supervising officer's contact information.
- ____ Local Domestic Violence Resources
- ____ Safety Planning brochure
- ____ Victim Services Liaison information

Signature _____ Date _____

Name (printed) _____

Officer or Liaison _____

****Please Note:**

The removal of a KDOC No Contact Order does not change the requirements of a Protection from Abuse (PFA), Protection from Stalking (PFS) Order, or other court order.

If a PFA, PFS, or Court order is removed, this does not automatically mean that a KDOC "no contact" condition of post-release supervision will also be removed.

Nothing in this "Request for a Waiver of No Contact" creates any special relationship between the supervising agency and the signatory, creates any special duty on the part of the supervising agency to the signatory, or creates any cause of action or contractual rights for the signatory.

KANSAS DEPARTMENT OF CORRECTIONS

Division of Community and Field Services
Parole Services



Domestic Violence Offender Handbook

You are being managed as a domestic violence offender because of your conviction and/or personal history. Special supervision requirements apply because of your status. This handbook provides information about those conditions and other expectations of your supervision. The special conditions of supervision discussed in this handbook are in addition to those mandated by the releasing authority (i.e. Kansas Prisoner Review Board or Court.) While under supervision by Parole Services you are expected to comply with the conditions in this handbook. If you do not understand any item in this handbook, ask for clarification from your assigned parole officer.

Our goal is to prevent future acts of violence. It is never acceptable to threaten, harass, forcibly touch, hit, strike or batter your partner or ex-partner in any way. Acts of physical, sexual or psychological abuse will not be tolerated and if they occur, will result in the use of interventions or sanctions, including revocation of supervision.

Kansas Department of Corrections Mission Statement

The Department of Corrections, as part of the criminal justice system, contributes to the public safety and supports victims of crime by exercising safe and effective containment and supervision of inmates, by managing offenders in the community, and by actively encouraging and assisting offenders to become law-abiding citizens.

Definitions related to Domestic Violence and Supervision

BATTERER'S INTERVENTION PROGRAM: A program that holds the perpetrator of domestic violence accountable, promotes nonviolent behavior and promotes safety for victims. On a wider scale, Batterer's Intervention seeks to create social norms that reject, rather than affirm or ignore, battering within intimate family and household relationships.

DATING RELATIONSHIP: A social relationship of a romantic nature. In addition to any other factors the court deems relevant, the following may be considered when making a determination of whether a relationship exists or existed: nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and the time since termination of the relationship, if applicable.

DOMESTIC VIOLENCE: An act or threatened act of violence against a person with whom the offender is involved or has been involved as an intimate partner. Domestic violence also includes any other crime committed against a person or property, or any municipal ordinance violation against a person or property, when directed against a person with whom the offender is involved or has been involved in a dating relationship. A pattern of violence or abusive behavior against a family member living in the same household may also be considered domestic violence.

INTIMATE RELATIONSHIP: A type of personal relationship which includes a close emotional bond and/or sexual activity.

OFFENSIVE CONTACT: Engaging in physical, sexual or psychological abuse of another person.

PARTNER: 1) Spouses, whether residing together or not; 2) Former spouses, whether residing together or not, regardless of length of separation; 3) Persons who are involved in a dating relationship with each other, regardless of whether or not they currently live together; 4) Persons who have, in the past, had a dating relationship with each other, regardless of whether they lived together; and 5) Persons who have a child in common regardless of whether they have been married or have lived together at any time; this includes if a woman is pregnant and the man is alleged to be the father.

PSYCHOLOGICAL ABUSE: The use of power or influence to adversely affect another person's mental and/or emotional well-being. Psychological and/or emotional abuse may take the form of verbal abuse--using words to traumatize the victim by threatening certain acts or using coercion (e.g. humiliating the victim, controlling what they can or cannot do, withholding information, name calling, etc.).

STALKING: 1) Intentionally or recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear; 2) intentionally engaging in a course of conduct targeted at a specific person which the individual knows will place the targeted person in fear for such person's safety or the safety of a member of such person's immediate family; or (3) after being served with, or otherwise provided notice of any protective order included in K.S.A. 21-3843 that prohibits contact with a targeted person, intentionally or recklessly

engaging in at least one (1) act described in K.S.A. 21-3438 that violates the provisions of the order and would cause a reasonable person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear.

VICTIM: Any person who suffers direct or threatened physical, emotional or financial harm as the result of the commission or attempted commission of a crime against a person.

PRIMARY VICTIM: The person(s) directly impacted by the crime (i.e., the person who is assaulted).

SECONDARY VICTIM/CO-VICTIM: The person(s) indirectly impacted by the crime. (i.e., the family, friends, neighbors, etc. of the person who is assaulted).

VIOLENCE: Any behavior designed to create fear in another.

Domestic Violence Offender Supervision Conditions

You are directed to comply with the following Special Conditions of supervision:

1. Programs

You may be referred to an assessment for treatment or counseling with emphasis on batterer's intervention. You are expected to participate in the assessment and comply with all recommendations, as directed by your Parole Officer. Treatment expectations include;

- Full participation in the treatment process and comply with treatment expectations.
- Payment of any Batterer Intervention Program fees.
- Participate respectfully and maintain appropriate boundaries to include respecting the confidentiality of the group.

2. Intimate Partner Disclosure

You are required to complete an intimate partner disclosure for any intimate partners that you are involved with. Expectations of intimate partner disclosure include that you:

- Provide your supervising officer with the full name, telephone number, and address of any person with whom you are involved in a dating relationship (a social relationship of a romantic nature). This includes anyone you become involved with in the future.
- Disclose the extent and nature of your domestic violence to your current intimate partner. Because your intimate partner may be at risk of violence, (s)he has the right to make a decision about her/his own safety based on all public information relating to your domestic violence history. This public information may include arrests, restraining orders and violations, stalking orders and violations, and convictions. You are also encouraged to share with your partner your history of domestic violence that did not come to the attention of the legal system. Your intimate partner will be contacted by your supervising officer to verify that you have completely disclosed all public information relating to your domestic violence. If your intimate partner wishes to continue a relationship with you, (s)he will also be provided with information about the conditions of your supervision and available community resources.
- Have no offensive contact with your intimate partner. Offensive contact means any kind of physical, sexual or psychological abuse.

3. Intimate Relationships and Cohabitation

- Notify my parole officer when I am involved in intimate relationships.
- Not cohabit with anyone unless approved by my parole officer. Cohabitation is an arrangement where two people live together in an emotionally and/or sexually intimate relationship on a long-term or permanent basis.

4. Release of Information

- I agree to complete a release of information for intimate partners, as requested by my Parole Officer.

5. Court Orders and Investigations

- Provide to my parole officer any court documents, protection orders, custody or visitation orders and civil court judgments that are currently in effect against me.
- Comply with all court orders including protection from stalking or protection from abuse orders.
- Cooperate with any matter involving child protective services or adult protective services.

Acknowledgement of Understanding

I acknowledge that I have been informed of the special conditions of release related to my domestic violence history. They have been explained to me and I agree to follow the special conditions in this handbook as part of my supervision. I acknowledge receiving a copy of the KDOC Domestic Violence Offender Handbook.

Offender

Date

Parole Officer

Date

Additional Information

No Contact Order

If you have a special condition for No Contact issued by Prisoner Review Board or Parole Officer you are expected to follow it. Contact includes direct and/or indirect contact, in person, by phone, via computer, in writing or through a third party.

- It is your responsibility to refrain from contact with this person. Should this person or their family initiate contact with you, you must choose not to engage. This means you either do not answer the phone, you hang up immediately upon realizing to whom you are speaking, you do not answer the door, you leave the location, etc. If you are contacted by this person or their family, you must report it to your parole officer by the next working day.
- If you have incidental contact you should immediately remove yourself from the situation and reported it to your parole officer by the next working day.
- Do not enter the premises of, travel past or loiter near the area where my victim or victim's family frequents, resides, is employed or attends classes.
- Not engage in any type of harassing or stalking behavior nor will I engage someone else in any activity that will harass, intimidate or harm them and/or their family in any way.

GPS

If you are required to wear a GPS monitoring device you are expected to take proper care of the GPS equipment and keep it properly charged. You are responsible for making timely payments to the monitoring service provider for all costs that are not covered by KDOC. You will be required to also comply with all zones programmed into your unit. This includes restricted areas you are to avoid traveling to or near such as your victim's residence or place of employment. This may also include places where your presence is required such as at your home during curfew hours.

Curfew

A curfew may be imposed with or without GPS, requiring you to be at your approved residence between designated time frames. Curfew changes may only be made with advance from parole officer.

Travel Restrictions

If you have been a special condition for travel restrictions you are expected to follow. This may include areas not to travel to, through, or requirements that you not to leave a specified area.

CONFIDENTIAL – NOT TO BE RELEASED TO THE OFFENDER

DOMESTIC VIOLENCE PAROLE INVESTIGATION FORM

Police Report Filed? Y N Agency Name: Case Number:

Reported by: Victim Hospital Neighbor Family Member Other

Location of Incident: Time: Date:

Victim KDOC # _____	CONDITION OF VICTIM UPON ARRIVAL <input type="checkbox"/> Abrasion(s) <input type="checkbox"/> Bite(s) <input type="checkbox"/> Bruise(s) <input type="checkbox"/> Complaint of Pain <input type="checkbox"/> Concussion(s) <input type="checkbox"/> Deep Cut(s) <input type="checkbox"/> Gunshot(s) <input type="checkbox"/> Fracture(s) <input type="checkbox"/> Minor Cuts <input type="checkbox"/> Sexual Assault <input type="checkbox"/> Other: _____	Victim Name (L,F,M): DOB: _____ Gender <input type="checkbox"/> M <input type="checkbox"/> F
	<input type="checkbox"/> Address: Home Phone: _____ Work Phone: _____	<input type="checkbox"/> At Temporary Address? <input type="checkbox"/> Yes, Specify <input type="checkbox"/> No Temporary Phone #: Contact Person:
	Essential Information: _____ _____	Alcohol/Drug Use? <input type="checkbox"/> Yes <input type="checkbox"/> No Type of Substance: _____

Perpetrator KDOC # _____	CONDITION OF SUSPECT UPON ARRIVAL <input type="checkbox"/> Abrasion(s) <input type="checkbox"/> Bite(s) <input type="checkbox"/> Bruise(s) <input type="checkbox"/> Complaint of Pain <input type="checkbox"/> Concussion(s) <input type="checkbox"/> Deep Cut(s) <input type="checkbox"/> Gunshot(s) <input type="checkbox"/> Fracture(s) <input type="checkbox"/> Minor Cuts <input type="checkbox"/> Sexual Assault <input type="checkbox"/> Other: _____	Suspect Name (L,F,M): DOB: _____ Gender <input type="checkbox"/> M <input type="checkbox"/> F
	<input type="checkbox"/> Address: Home Phone: _____ Work Phone: _____	<input type="checkbox"/> At Temporary Address? <input type="checkbox"/> Yes, Specify <input type="checkbox"/> No Temporary Phone #: Contact Person:
	Essential Information: _____ _____	Alcohol/Drug Use? <input type="checkbox"/> Yes <input type="checkbox"/> No Type of Substance: _____

RELATIONSHIP

CHECK ALL THAT APPLY <input type="checkbox"/> Spouse <input type="checkbox"/> Former Spouse <input type="checkbox"/> Cohabitant <input type="checkbox"/> Former Cohabitant <input type="checkbox"/> Dating <input type="checkbox"/> Former Dating <input type="checkbox"/> Child in Common	Length of Relationship: _____ YRS: _____ MTHS: Rel. Ended? <input type="checkbox"/> Yes <input type="checkbox"/> No Date ended: _____
	Prior History of DV? <input type="checkbox"/> Yes <input type="checkbox"/> No Prior History Documented? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Number of prior incidents: _____ <input type="checkbox"/> Serious <input type="checkbox"/> Minor Investigating Agency: _____ Case#: _____
	Protective order ever issued: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Current <input type="checkbox"/> Expired Expiration Date: _____ Type of Order: <input type="checkbox"/> PFA <input type="checkbox"/> PFS Defendant Served? <input type="checkbox"/> Yes <input type="checkbox"/> No Confirmed by: <input type="checkbox"/> Victim's Copy <input type="checkbox"/> Department <input type="checkbox"/> Other: Explain <input type="checkbox"/> NCIC

INCIDENT INFORMATION

MARK APPROPRIATELY TO DESCRIBE WHAT OCCURRED (CHECK ALL THAT APPLY) <input type="checkbox"/> Destroying Property <input type="checkbox"/> Biting <input type="checkbox"/> Stalking <input type="checkbox"/> Throwing Objects <input type="checkbox"/> Kicking <input type="checkbox"/> Grabbing <input type="checkbox"/> Pushing/shoving <input type="checkbox"/> Slapping <input type="checkbox"/> Burning <input type="checkbox"/> Hitting with fist <input type="checkbox"/> Choking <input type="checkbox"/> Homicide <input type="checkbox"/> Threat w/weapon <input type="checkbox"/> Beating <input type="checkbox"/> Prevent from Leaving <input type="checkbox"/> Other: _____ <input type="checkbox"/> Threat/Phys Violence <input type="checkbox"/> Threat/Sex Violence <input type="checkbox"/> Sexual Assault <input type="checkbox"/> Used Weapon: _____	PHOTOS TAKEN OF: <input type="checkbox"/> Victim <input type="checkbox"/> Crime Scene <input type="checkbox"/> Suspect <input type="checkbox"/> Weapon(s) <input type="checkbox"/> Children Photos Taken by: _____
OFFICER MUST INFORM VICTIM OF: <input type="checkbox"/> DV Agency <input type="checkbox"/> Hold Process <input type="checkbox"/> Victim's Comp <input type="checkbox"/> Case # <input type="checkbox"/> Officer's Name <input type="checkbox"/> VS Liaison Copy of Form provided to: <input type="checkbox"/> Parole Supervisor <input type="checkbox"/> VS Liaison	