

<p style="text-align: center;">Community Supervision Standards</p> <p style="text-align: center;">Kansas Department of Corrections- Division of Juvenile Services State of Kansas</p>	<p><b>CHAPTER:</b></p> <p><b>SUPERVISION</b></p>	<p><b>STANDARD NO.</b></p> <p><b>CSS-04-136</b></p>
	<p><b>SUBJECT:</b></p> <p><b>EARNED DISCHARGE</b></p>	<p><b>PAGE: 1 of 2</b></p>
<p><b>REFERENCES: Kansas Supreme Court Rule 1801, Form A: Notice of Earned Discharge Credit Award, Form B: Denial of earned discharge credit, K.S.A. 38-2368, K.S.A. 38-2391 (i)</b></p>	<p><b>DATE ADOPTED: 5-22-2018</b></p> <p><b>DATE AMENDED: 5-22-2023</b></p> <p><b>DATE REVIEWED: 5-22-2023</b></p>	

**STANDARD:** Written policy, procedure, and practice shall require the Community Supervision Agency (CSA) to adhere to Kansas Supreme Court Rule 1801, Earned Discharge Credit for Juveniles adjudicated on and after January 1, 2018.

A youth who is adjudicated as a juvenile offender may earn credit toward early discharge from probation if the youth has substantially complied with the probation conditions. Substantial compliance means the juvenile has made significant progress in meeting the conditions of probation and no violations have been filed with the court under K.S.A. 38-2368.

At Orientation, the Community Supervision Officer (CSO) will explain the earned discharge credit rule to the youth.

The youth shall earn seven days of credit toward early discharge from probation for each full calendar month of substantial compliance with the conditions of probation. The initial end date of probation is calculated based on the start date outlined in K.S.A. 38-2391(i) and the term of probation. The CSO will calculate earned discharge credit beginning the first full calendar month after start date of probation.

On a monthly basis, until the youth is discharged from the term of probation, the CSO will review substantial compliance for the previous full month and make a determination if discharge credits were earned. In reviewing whether a youth has substantially complied with probation, the CSO will review the conditions outlined in the court's order of probation and youth's supervision plan.

If a youth substantially complies with the conditions of probation and is awarded earned discharge credit, the CSO will provide notice to the youth, the youth's defense attorney, and the prosecutor using the Form A: Notice of Earned Discharge Credit Award. The notice of earned discharge credit that is awarded will be filed with the court. A copy should be placed in the youth's file and noted in a chrono in the Kansas Department of Corrections

**NOTE:** The standards and procedures set forth herein are intended to establish operational guidelines for community supervision agencies operating through the board of county commissioners and their employees/contractors and the juvenile offenders under supervision. They are not intended to establish state created liberty interests for community supervision agencies, or the board of county commissioners, or their employees/contractors, or juvenile offenders, or an independent duty owed by the Kansas Department of Corrections- Division of Juvenile Services to community supervision agencies operating through the board of county commissioners or their employees/contractors, supervised juvenile offenders or third parties. This standard and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

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**STANDARD (cont.):**

(KDOC) case management system. The youth may be notified in person or by mail. The youth’s defense attorney and the prosecutor shall be notified in writing.

If a youth has not substantially complied with the conditions of probation and his/her supervision plan and therefore does not earn discharge credit, the CSO will inform the youth in-person and complete Form B: Denial of earned discharge credit form. Form B shall be placed in the youth’s file and noted in a chrono in the KDOC case management system. The CSO will document in the chrono the date the youth was informed of the denial of earned discharge credit.

Once the youth has been awarded earned discharge credits, the credits cannot be taken away.

For ICJ-Out youth, substantial compliance shall be assumed if no non-compliance reports have been filed by the receiving state for the month in review.

For crossover youth, earned discharge credit status shall be shared with the Department for Children and Families (DCF) upon determination each month.

**DISCUSSION:** A crossover youth is defined as any youth aged 10 or older with any level of concurrent involvement with the child welfare system (i.e., out-of-home placement, an assigned investigation of alleged abuse or neglect with a young person named as the alleged perpetrator, and/or participating in voluntary/preventive services cases that are open for services) and the juvenile justice system (i.e., court-ordered community supervision and Immediate Intervention Programs (IIP)).

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