

KANSAS DEPARTMENT OF CORRECTIONS

	INTERNAL MANAGEMENT POLICY AND PROCEDURE	SECTION NUMBER 11-117	PAGE NUMBER 1 of 9
		SUBJECT: DECISION MAKING: Risk-Reduction-Based Reentry and Release Planning	
Approved By:  Secretary of Corrections		Original Date Issued:	12-13-88
		Current Amendment Effective:	12-11-13
		Replaces Amendment Issued:	09-19-08

POLICY

Risk reduction, release planning and reentry services shall be provided to all offenders (including making these services available to offenders who are discharging their sentences, if they choose to participate), consistent with their level and areas of risk and need, beginning at 16 months pre-release (or time to serve if less than 16 months), in a manner that supports successful return to the community. The Unit Team Counselor shall be responsible for developing a Reentry Plan, with the support of the facility R3 team. Any special conditions of release shall be supported by the Reentry Plan. Information about the plan shall be provided to the Prisoner Review Board, Parole, Victim Services, and any provider or support person necessary to the plan, to allow for input into the plan, to help identify special conditions, and to ensure the plan is consistent with risk management (containment and reduction). When possible, the offender shall be transferred to the facility closest to the county of release, to support connections to the community during the reentry process. The statewide reentry team shall support release planning and reentry in the facilities.

Notice shall be made to public officials in keeping with the procedures set out below, and public officials shall have the opportunity for input regarding release (in indeterminate sentences) or conditions of release. Conditions of release, reporting instructions, and duty to register (when applicable) shall be reviewed with the offender at the time of release.

DEFINITIONS

Abbreviated Reentry Plan: A “shortened version” of the Reentry Plan. This plan can only be created on a specified group of releasing offenders:

1. Sentence Discharges (only if they have signed the user agreement for the Stored Value/Debt Card);
2. Immediate Releases (offenders releasing within 90 days of admission); and
3. Violators.

Facility Release Planner: A facility staff member working with facility Unit Teams, R3 Specialists, program/contract staff, families/support and field parole staff in coordinating and tracking release planning, parole related issues and providing technical assistance to facilitate the timely release of offenders on parole. Also known as the Institutional Parole Officer (IPO),

Parole Eligibility Date: The earliest date on which an offender is eligible for release from incarceration on parole.

Reentry Plan (RP): The report prepared by facility staff, which sets out the offender’s Reentry Plan, with relevant information regarding the offender’s risk/need and the strategies to address them upon release.

Parole Hearing Date: The date on which an offender is scheduled to appear before the Prisoner Review Board (PRB) for parole consideration.

Post-Incarceration Supervision: The supervision of offenders for any type of release from a KDOC facility to include release to parole, conditional release, and post-release supervision.

Risk Management: A set of strategies that incorporates Risk Containment and Risk Reduction

Risk Reduction: Assisting offenders in developing and using internal controls to address dynamic risk and need area so that the offender is less likely to engage in criminal behavior.

Risk Containment: External control of offenders in response to behaviors so that the offender is less likely to engage in criminal behavior (e.g., incarceration, GPS monitoring, curfew, etc.).

Statewide Reentry Team: Staff in Central Office under the management of the Reentry Director who support reentry, release and discharge planning statewide, and provide support for risk reduction programs, practices, policies, procedures and resources.

PROCEDURES

I. Reentry Plan (ACO 2-CO-4B-01, ACI 3-4291)

- A. Sixteen (16) months before the anticipated release date of an offender, the Unit Team Counselor shall open a Reentry Plan, and begin the reentry planning process. If the offender has less than 16 months to serve, the Reentry Plan shall be completed immediately.
- B. The Reentry Plan shall be prepared using the KDOC authorized Reentry Plan System, and following the format outlined in the *Reentry Plan Manual 05-2008V2* (located on the KDOC Intranet <http://ekdoc/re-entry/it-manuals-1/it-manuals>).
- C. For all offenders, regardless of risk level, the Reentry Plan shall contain:
 1. The offender's LSI-R score and profile.
 - a. The RDU LSI-R shall be used for the Reentry Plan.
 - b. If an offender has never had a LSI-R and is preparing for re-entry, a LSI-R shall be conducted as part of the re-entry planning, with the exception of the following offenders do not require assessments:
 - (1) Admissions with 30 days or less to serve;
 - (2) Admissions with six (6) months or less to serve with no post release supervision;
 - (3) Condition violators with no new sentence with 90 days or less to serve, and;
 - (4) Fourth time DUI offenders.
 2. The offender's proposed residence plan with relevant information in support of the plan, including information about who resides at the home/location where the offender proposes to go.
 - a. If the offender does not have a residence plan, because s/he has no residence option, the counselor shall explore housing alternatives with existing services available in the facility or in the community where the offender plans to return, in an effort to secure a housing option prior to release.
 - b. As part of the effort to secure a housing plan, the counselor shall review phone logs and visiting lists in an effort to identify a possible family member or support through whom a housing plan could be secured.
 - c. The Facility Release Planner (FRP) shall assist the counselors in searching housing options and attempting to secure a housing plan for the offender, and the counselors and FRP shall consult with available housing specialists to support this search.

- d. In the event that a housing plan cannot be secured prior to release, and all possible options have been exhausted the releasing location of the offender is to be determined by Parole Supervisor and release coordinator.
3. Whether the offender is managed as a sex offender.
4. Whether the offender is a veteran, and if so, his/her type of discharge from the service.
 - a. If the offender is a veteran, release planning shall include ensuring that a DD214 and any other necessary paperwork has been completed so the offender is able to access services available to veterans prior to or upon release.
5. The offender's progress on his/her case plan and facility program history.
 - a. This section shall provide an update on work accomplished through the case plan and recommendations on going forward with risk reduction work after release.
 - b. This section shall include any relevant recommendations from treatment providers for treatment completed during incarceration.
6. A description of the offender's work history and job skills and his/her plan for employment upon release.
7. A statement regarding the status of the offender's identification including his/her birth certificate, social security card and driver's license. This section shall specifically discuss any known fines or suspension on the driver's license.
8. Information about the offender's physical and mental health including any known disabilities, medication, and other information relevant to the offender's health needs upon release.
 - a. If the offender is eligible for discharge planning services for any medical or mental health condition, the offender shall be connected to those services and the activity related to discharge planning through those services shall be reflected in the Reentry Plan.
 - b. This section shall address whether the offender has received social security or veterans' disability benefits in the past and the status of any pending application for benefits upon release.
9. A description of the offender's relevant disciplinary history.
10. Any known detainers that are pending and unresolved with information about the detainers.
 - a. If the offender has a pending detainer, this issue shall be addressed by the counselor with the offender, and contact shall be made with the jurisdiction holding the detainer in an effort to resolve the detainer.
 - b. If the offender suspects the possibility of a pending detainer, but does not know the particulars or for sure if there is one, the counselor shall inquire further and do any investigation that can be done to attempt to resolve the question of whether there is a pending detainer.
 - c. If the offender is required to release to a detainer, the Reentry Plan shall take this into consideration and the plan shall clearly reflect this fact, in the Primary Residence.
11. Any victim issue known to the counselor that may impact the offender's Reentry Plan.
12. Information about current family and/or support available to the offender upon release.

13. Any treatment needs known, including substance abuse treatment or sex offender treatment, including aftercare.
 14. Whether the offender owes restitution; and if so, provide known information about the amount, jurisdiction and plan for payment.
 15. Whether the offender owes child support; and if so, provide known information about the amount, jurisdiction and plan for payment.
 16. An overview of the offender's status with information that is relevant to consideration of the Reentry Plan by parole, the Prisoner Review Board, Victim Services, or any treatment provider. This should include the Counselor's general impressions about the offender's ability to successfully reintegrate.
 17. Any special conditions the Counselor wishes to recommend the Prisoner Review Board include as part of the offender's conditions of release, for any offender who will be under supervision upon release and the reasons for the recommendation.
 18. The plan for transportation upon release including to the county of release.
 19. Any other information relevant to the Reentry Plan.
- E. If the offender is managed as a sex offender, the Reentry Plan, including family issues and residence plan, shall take this into consideration, and the Reentry Plan shall reflect the impact of this status on the plan, as relevant.
- F. If an offender is transferred to any of the Department's work release facilities/programs after his/her release planning is underway, Work Release Counselors and the Facility Release Planner shall make such revisions to the Reentry Plan as is appropriate and necessary given the offender's changed circumstances due to employment and ability to earn income.

II. Scheduling of Reentry Plan Preparation and Processing

- A. The formalized reentry and release planning process shall begin no less than 16 months prior to the month of the projected month of release (or less if the time to serve is less than 16 months).
- B. The Facility Release Planner shall be responsible to generate a list of offenders scheduled for release prior to the 16 month release date.
1. An offender shall be scheduled for an appearance before the Prisoner Review Board during the month immediately prior to the month that the offender is parole eligible.
 2. The assigned Unit Team Counselor shall notify the Facility Release Planner of any change in the release date (such as because of loss of good time), and release dates shall be tracked by the Facility Release Planner.
- C. The assigned Unit Team Counselor shall work with the offender to prepare a Reentry Plan. The Unit Team Managers shall work with the Unit Team Counselors to establish necessary processes, resources, and team meetings to support the preparation of the Reentry Plan.
1. The Reentry Plan shall be submitted to the Facility Release Planner at least nine (9) months prior to the offender's parole eligibility, conditional release, or guidelines month of release.
 2. The Facility Release Planner shall ensure that the Reentry Plan is complete and accurate; if Reentry Plans are not complete and accurate, the Facility Release Planner shall confer with staff as necessary to correct the situation.

D. Preparing the Reentry and Release Plan

1. In all cases, regardless of type of release, no less than eight (8) months prior to the offender's scheduled parole hearing, conditional release, or determinate month of release, the Facility Release Planner shall forward the name of the offender, his/her proposed month of release, the county of release, and any other relevant information to Victim Services.
2. Victim Services shall make any appropriate notification to victims promptly, and respond with any information, recommendations or request relating to the proposed Reentry Plan within 30 days.
 - a. The Facility Release Planner shall confer with the assigned Unit Team Counselor to make any necessary adjustments to the Reentry Plan after conferring with Victim Services.
3. In determinate and conditional release cases, the proposed Reentry Plan shall be forwarded to the Prisoner Review Board no later than six (6) months prior to release. The Reentry Plan shall include all case planning efforts and information.
 - a. The Board shall be given the opportunity to impose special conditions within 30 days from receipt of a complete Reentry Plan and proposed special conditions.
 - b. The Facility Release Planner shall confer with the Unit Team and parole staff as necessary to make any adjustments to the Reentry Plan based upon special conditions imposed by the Board.
 - c. If there are any conditions imposed which appear to be inconsistent with the Reentry Plan, and related case planning, the Facility Release Planner and/or Unit Team Counselor shall confer with the Prisoner Review Board, through the Administrator and, if applicable, through consultation with Victim Services, in an effort to reconcile the Board's conditions with the Reentry Plan, including by sharing relevant information for the Board's consideration in requesting any modification to the condition.
4. In determinate and conditional release cases, the proposed Reentry Plan, together with any special conditions imposed by the Board, shall be forwarded to the parole office no less than four (4) months prior to release.
5. In indeterminate cases, Prisoner Review Board mails a notification letter requesting comments and input regarding any pending or un-lodged detainers three (3) months prior to the offender's scheduled parole hearing to the following officials in each county of conviction:
 - a. Sentencing judge;
 - b. County or District Attorney;
 - c. Sheriff; and,
 - d. Chief of Police.
6. In indeterminate cases only, local officials shall be provided the opportunity to provide input within 30 calendar days from the date of mailing the request.
7. In indeterminate cases only, completed Reentry Plans shall be provided to the Kansas Parole Board within 30 days prior to the scheduled parole hearings. (ACI 3-4291; APPFS 3-3194)

- a. If the Reentry Plan is updated or modified following submission to the Prisoner Review Board, the Facility Release Planner shall notify the PRB Administrator of the change and clearly identify the change(s) that have occurred.
 8. Within five (5) working days after receipt of the Board's official hearing results (except for continued case), if the Board has indicated the decision is to release the offender, the Facility Release Planner shall forward the proposed Reentry Plan to the parole office together with any special conditions imposed by the Board.
 9. The Prisoner Review Board Administrator and staff shall be responsible for processing all PRB decisions and release certificates, and shall establish a method for doing so with each facility and parole office.
- E. Review of the Reentry and Release Plan by Parole
1. Upon receipt of the Reentry Plan, the assigned Parole Officer shall review the Reentry Plan together with any information in OMIS or TOADS as necessary to assess the proposed release and residence plan.
 2. The Parole Officer shall investigate the proposed plan and respond within 30 days of receipt of the plan. The response shall indicate:
 - a. Whether the residence plan is approved or disapproved and the reasons if disapproved.
 - b. Any proposed alternative for a residential plan that the Parole Officer may have if the plan is disapproved.
 - c. Any information about the offender's upcoming release known to the Parole Officer that is relevant in finalizing the Reentry Plan.
 - (1) In indeterminate cases this information shall be transmitted to the Prisoner Review Board Administrator to update the Board on the status of the offender's plan.
 3. Upon receipt of the response from the Parole Officer, the Facility Release Planner shall confer with the assigned Unit Team Counselor to make any adjustments in the plan necessary.
 - a. In indeterminate cases this information shall be transmitted to the Prisoner Review Board Administrator to update the Board on the status of the offender's plan.

III. Processing of Transfer Cases

- A. If an offender is transferred after the formalized release planning process begins, information about the progress on the Reentry Plan together with a copy of the draft Reentry Plan shall be placed in the Unit Team file or in TOADS in the facility chronos section to be conveyed to the new Unit Team Counselor. The new Unit Team Counselor shall confer with the previous Counselor as necessary to continue work on the plan.
1. The sending facility's Facility Release Planner shall notify the receiving facility's Facility Release Planner of the transfer of the case, with any information available about the plan necessary for the receiving facility's Facility Release Planner to continue work with the Unit Team Counselor on the plan.
 2. The first facility's Facility Release Planner shall forward his/her file on the Reentry Plan to the receiving facility's Facility Release Planner electronically (via e-mail or by making it available in TOADS).

3. Within five (5) working days of the offender's arrival, the receiving Facility Release Planner shall contact the Unit Team to ensure that the status of the Reentry Plan is understood and that progress is taking place on the plan.

IV. Post Parole Hearing Actions: Passed and Continued Cases

- A. In passed and continued cases the Facility Release Planner shall be responsible for meeting with Unit Team staff within 15 days of a Prisoner Review Board decision to ensure that any unmet needs of the offender are addressed.
 1. The Facility Release Planner shall monitor the offender's progress and follow up with Unit Team on progress for any action required when the offender has been passed for completion of the program agreement or other action.
 2. If a case is continued for preparation of an approved plan, the Facility Release Planner shall work with Unit Team staff to prepare a plan in accordance with this policy.

V. Release to Post-Incarceration Supervision

- A. The Classification Administrator shall designate a staff person(s) to be responsible for circulating and ensuring the completion of the facility release check list for each offender.
- B. The staff member designated by the Classification Administrator shall ensure that the conditions of release are reviewed with the offender and the offender acknowledges the conditions of release with his/her signature on the release certificate. (APPFS 3-3134)
 1. All conditions imposed by the Prisoner Review Board or special conditions proposed by the supervising Parole Officer shall be discussed in addition to the standard release conditions.
 2. Reporting instructions from the supervising Parole Officer shall be provided to the offender.
 3. If an offender is required to register, the Facility Release Planner or designee shall notify the law enforcement agency having initial jurisdiction (where the offender is releasing; if no plan, county of last conviction), and the KBI seven (7) business days prior to the offender is being release, and notify the offender of his/her duty to register, all consistent with IMPP 11-118.
- C. The Facility Release Planner shall provide notification of the Prisoner Review Board's decision or an offender's mandatory or guidelines month of release, to the appropriate parole office and prepare documents to be forwarded, in accordance with IMPP 14-103.
- D. The Facility Release Planner shall advise the supervising parole officer of any proposed delay en route to the offender's Reentry Plan and request the parole officer's approval of the delay, per IMPP 14-104.
- E. In any case where medical issues or mental health issues require medication or other medical care as part of the release, a representative of the mental and medical health care provider shall be present at the time of the offender's release to ensure the medication or other medical issue is addressed.

VI. Releasing Determinate Offenders Returned as Violators

- A. For in-state offenders who are under determinate sentencing who are returned from in-state as violators, the Parole Officer of record shall:
 1. Keep the offender case open; and
 2. Develop an approved plan prior to return and provide reporting instructions to the Facility Release Planner in the recommendations section of the closing summary.

- a. If the proposed plan is an interstate compact plan, the documents shall be prepared in accordance with IMPP 14-105 and an alternative in-state approved plan shall be included in the recommendations section of the closing summary.
- B. A modified version of the Reentry Plan shall be prepared by the Unit Team Counselor with assistance as needed from the Facility Release Planner that includes only updated information as necessary for the new Reentry Plan and incorporates the plan approved by the Parole Officer at the time of revocation.
- C. On or prior to the date of the offender's release, the Facility Release Planner shall make written contact with the Parole Officer of record or Parole Supervisor if the Parole Officer of record is no longer employed with the KDOC and advise him/her of the:
 1. Date of release;
 2. Verification of residence; and
 3. Verification of reporting instructions.
- D. If the offender proposes a change in his/her approved Reentry Plan prior to his/her release:
 1. The Facility Release Planner shall provide the residence information in writing to the Parole Officer of record.
 2. The Parole Officer of record shall:
 - a. Coordinate the investigation of the proposed residence, if deemed appropriate.
 - b. If modification is made to the approved Reentry Plan, to inform the Facility Release Planner in writing of the change and provide new reporting instructions including the name of the new Parole Officer of record to the Facility Release Planner.
- E. If approval of a subsequent release is not possible, it shall be noted in the recommendations section of the closing summary and shall outline the efforts undertaken by the Parole Officer of record. The Parole Officer of record shall forward a copy of the closing summary to the Facility Release Planner of the facility where the offender is housed after revocation.
- F. Condition violators returned from outside of the state of Kansas or after serving a term in another jurisdiction, and compact offenders returned from in-state shall be processed in accordance with IMPP 14-103.

VII. Release 120/180 Day Sanction Offenders

- A. One hundred twenty/one hundred eighty (120/180) day sanction offenders must return to the jurisdiction that entered the sanction.
 1. If a situation arises where the offender proposes to release anywhere other than back to the jurisdiction that entered the sanction (for example, the residence sponsor has had an address change, or the plan is no longer viable), the assigned Counselor must contact the original Court Services or Community Corrections Officer for approval prior to the offender's release, or the address cannot be changed.
 2. 120/180 day sanction offenders with detainer will be release to the detainers and not their home plan.
 - a. It is the responsibility of the county issuing the detainer to pick up the sanction offender and transport on a detainer release.
 - b. If the agency with the detainer does not want to pick the offender up at the facility, then the offender will release back to the jurisdiction issuing the sanction.

3. 120/180 day sanction offender will receive gate money and a bus ticket in the same increments and guidelines in IMPP 04-105.

VIII. Release Dates Falling on Weekends or Holidays

- A. When an offender's release date falls on a weekend or a holiday, the offender shall be released as follows:
 1. If the offender is paroled via PRB action at the offender's first parole hearing and the release date falls on a Saturday, Sunday, or state observed holiday, the offender shall be released on the first business day following the weekend or holiday.
 2. Under the following circumstances, an offender whose release date falls on a Saturday, Sunday, or state observed holiday shall be released on the last business day prior to the weekend or holiday, per K.A.R. 45-7-3(a)(3):
 - a. Paroled via PRB action at the offender's second or subsequent hearing;
 - b. Reaches Conditional Release;
 - c. Achieves Maximum Sentence Discharge Date or Sentence Expiration Date;
 - d. Released as a Violator of Conditions of Post-Release supervision; and,
 - e. Released as a Guidelines Release.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities 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 considered to be compliant with all applicable Federal statutes and/or regulatory requirements. 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. 75-5210a
K.A.R. 44-5-105, 45-7-3(a)(3)
IMPP 04-105, 11-118, 14-103, 14-104, 14-105
ACO 2-4B-01
ACI 3-4291
APPFS 3-3134, 3-3194
Reentry Plan Manual 05-2008V2
DD Form 214

ATTACHMENTS

None.