



# KANSAS DEPARTMENT OF CORRECTIONS

	<b>INTERNAL MANAGEMENT POLICY AND PROCEDURE</b>	<b>SECTION NUMBER</b>  <b>14-103A</b>	<b>PAGE NUMBER</b>  <b>1 of 9</b>								
	<b>SUBJECT:</b>  <b>PAROLE SERVICES: Release Investigation Process</b>										
<b>Approved By:</b>   Secretary of Corrections		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><b>Original Date Issued:</b></td> <td style="text-align: right;"><b>05-14-15</b></td> </tr> <tr> <td><b>Replaces Version Issued:</b></td> <td style="text-align: right;"><b>N/A</b></td> </tr> <tr> <td colspan="2"><b>CURRENT VERSION EFFECTIVE:</b></td> </tr> <tr> <td></td> <td style="text-align: right;"><b>05-14-15</b></td> </tr> </table>		<b>Original Date Issued:</b>	<b>05-14-15</b>	<b>Replaces Version Issued:</b>	<b>N/A</b>	<b>CURRENT VERSION EFFECTIVE:</b>			<b>05-14-15</b>
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<b>APPLICABILITY:</b>	<input checked="" type="checkbox"/> <b>ADULT Operations Only</b>	<input type="checkbox"/> <b>JUVENILE Operations Only</b>	<input type="checkbox"/> <b>DEPARTMENT-WIDE</b>
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## POLICY STATEMENT

Whenever possible, offender release plans shall be investigated for suitability prior to the release of the offender to the community. Offenders with indeterminate sentences whose release is allowed at the discretion of the prisoner Review Board shall not be released until the parole plan is approved by a parole officer. (4-APPFS-2C-02)

Efforts shall be made to ensure that each offender is released with the best possible plan in accordance with their needs. A system for investigation of release plans shall be implemented by the regional parole directors which may include designation of one (1) or more investigating officers or rotational assignment of investigations to each parole officer with a caseload. Special assistance may be provided by staff for offenders with difficulty in developing release plans.

## DEFINITIONS

Guidelines Release: A mandatory, statutory release pursuant to Sentencing Guidelines.

Release Planning Coordinator: A facility staff member working with facility unit teams and field parole staff in coordinating and tracking parole-related issues and providing technical assistance to facilitate the timely release of offenders on parole.

Foreign State: A state other than Kansas.

Interstate Compact Offender Tracking System (ICOTS): The national electronic database designated for tracking offender movements between states.

Mandatory Release: Release to post-release supervision pursuant to Sentencing Guidelines or release pursuant to the conditional release date.

Parole Release: Any release contingent upon approval of the Prisoner Review Board.

Phase I: The investigative process which occurs prior to any parole hearing involving an offender whose release is governed by the Prisoner Review Board.

Phase II: The process for investigating the proposed release plan of an offender once he/she have been granted parole by the Prisoner Review Board but prior to his/her release, or the investigation of the proposed release plan of an offender with a mandatory release plan (Conditional Release or Guidelines Release) prior to his/her release.

Phase III: The process of relaying relevant release documents and information to parole staff at the time of the offender's release from a KDOC facility.

Release Plan: The offender's plan for release to the community. The release plan should always include a residence or source of shelter and may include other components as applicable, such as employment, program participation or the use of community resources.

Reentry Plan: A dynamic report contained in TOADS citing pertinent information pertaining to the offender both for facility and release planning purposes. This document is utilized by the facility and field staff and is the document used by parole staff to cite approval or disapproval of residence plans.

Residence Plan: The residence or location that an offender plans to reside upon release to the community. Residence plans are subject to review and approval by parole staff.

Victim Notification Officer: The staff member designated by the Secretary of Corrections to coordinate the procedures for the notification of victims in accordance with applicable statutes.

## **PROCEDURES**

### **I. Release Planning Process**

- A. Release Planning Processes shall be completed by facility staff in accordance with IMPP 11-117 and documented in the Reentry Plan in TOADS.
- B. Release plans should include a residence plan and information regarding any programs, community resources or sources of support that the offender plans to utilize upon release.
- C. An employment offer should be included in the release plan if available, but is not a requirement.

### **II. Victim Notification**

- A. Victim notification shall be completed by the Victim Notification staff in accordance with IMPP 21-101.

### **III. Residence Plan Investigations**

- A. All proposed residence plans should be investigated to ensure that they are legitimate and provides a reasonable opportunity for the offender to succeed in the community.
- B. Upon receipt of the Reentry Plan Email Notification from the Release Planning Coordinator, the parole officer shall complete an investigation and upon completion, indicate the approval or disapproval on the Reentry Plan.
- C. Parole officer actions during the residence plan investigation should include, but is not limited to:
  1. Review of the Reentry Plan, PSI, and other relevant case material.
  2. Conduct an on-site visit at the residence and personal meeting with the residence provider, unless extenuating circumstances prevent it.
    - a. If an offender is re-releasing to a residence plan that has previously been visited and verified by a parole officer, the on-site visit may be waived and replaced with a telephone contact.
  3. Verify that the residence exists and that the residence provider is willing to allow the offender to reside there. Identify any other residents of the home.
    - a. Contacts beyond the residence provider are not generally necessary; however, the parole officer may extend contact to a landlord or property owner if it is

necessary to verify the offender's ability to permanently reside at the stated location.

4. Ensure that the residence provider is aware of the offender's offense history and any related risk factors.
  5. Discuss the offender's current circumstances and significant risk/need areas with the residence provider. Encourage support for the offender and ongoing communication with the parole officer during the course of supervision.
  6. Determine what the release plan can offer the offender regarding access to programs, needed services and/or a personal support system.
  7. Determine if any weapons or prohibited items are in the residence and if so, make arrangements with the residence provider for the removal or secure storage of the item(s).
  8. Determine if any safety concerns exist for the offender or for third parties.
  9. Ensure that the residence provider is aware of the conditions of supervision and that parole staff may request access to the home for future contacts.
- D. The results of the investigation shall be sent to the Release Planning Coordinator within 30 working days via entry in the Reentry Plan.
1. If the investigation cannot be completed within the allotted time frame, the investigating parole officer shall contact the appropriate Release Planning Coordinator to inform him/her of the reason for the delay and provide an anticipated date when the response on Release Plan will be completed and notification sent.
- E. In the event the parole officer finds the proposed plan unacceptable, the parole officer shall notify the Parole Supervisor and subsequently discuss the plan deficiencies. If the parole supervisor concurs that the plan is unacceptable, the plan shall be rejected.
1. Notification to the Release Planning Coordinators shall occur via the Reentry Plan.
  2. If an alternative plan has been determined to be viable and can be approved, the parole officer shall provide that information to the Release Planner along with information about the denied residence plan.
  3. If the parole officer is aware of alternative residence plans which may be an option for the offender but require further investigation, that information should be provide to the Release Planner at the time of the denial.

#### **IV. Reporting Instructions**

- A. All offenders being release to supervision shall be provided with reporting instructions which identify when and how they should make initial contact with the assigned parole officer.
1. The offender shall be instructed to contact the parole officer within two (2) working days of release by phone or in person in accordance with IMPP 14-104A.
  2. The type and immediacy of the initial contact should be determined by the parole officer considering the following information:
    - a. The parole officer's knowledge of the offender and the circumstances of the case.
    - b. Whether or not the offender has been on supervision before and his/her knowledge of supervision expectations.

- c. Any significant risk or need factors that are present.
  - d. Whether or not there is a need for face-to-face contact immediately at release.
  - e. Geographic and/or travel considerations.
- B. When a release plan is approved, the parole officer shall provide the Release Planning Coordinator with reporting instructions to give to the offender via the Reentry Plan.
- C. If the offender does not have an approved plan at the time of release, reporting instructions shall be relayed for the offender via either the Reentry Plan or email with the Release Planner.
- D. If the offender is being released to a detainer, the reporting instructions shall be for the offender after his/her release from detainer custody.
- E. If the offender is being released to an interstate compact plan, reporting instructions shall be obtained from the acceptance report submitted by the receiving state.
- 1. If reporting instructions are not contained in the acceptance report, the Release Planning Coordinators shall contact the Interstate Compact Unit for direction.

**V. Release Planning for Determinate Sentence Violators**

- A. Release processing of offenders under determinate sentencing who return as condition violators shall occur as follows:
- 1. When processing a determinate sentence violator for revocation, the parole officer of record shall:
    - a. Assist in the development, approval and documentation of a recommended plan for the offender's release after revocation;
    - b. Identify the approved residence plan in the Closing Summary as part of the Revocation Packet.
    - c. Take any follow-up steps necessary and appropriate to prepare for the offender's re-release.
    - d. If the offender will be supervised by a different parole office upon release, the parole file shall be forwarded to the new supervising parole office.
  - 2. If an approved plan cannot be identified prior to the submission of the Closing Summary, the parole officer shall provide information in the Closing Summary report about why that has not yet been accomplished and describe what is necessary to complete the plan.
    - a. The parole officer of record should provide any follow-up efforts or assistance necessary for the completion of the plan's development after the offender is returned to a facility. The Release Planner should be informed of any progress that is made toward a residence plan.
  - 3. If the proposed residence is outside of Kansas, the parole officer shall verify the interstate plan, and if verified, complete and submit all documents required by IMPP 14-105A in the Interstate Compact Tracking System (ICOTS).
    - a. The parole officer shall also provide an alternative in-state plan in the event that the interstate investigation is not completed by the offender prison release date or is ultimately rejected.

4. Throughout this process of preparing a release plan for the re-release of an offender on a condition violation, the revoking parole officer, any receiving parole office, the Release Planning Coordinator, the unit team staff, and Board staff shall work together in a collaborative effort to identify and develop the best possible plan for the offender.
5. Residence planning for condition violators returned from outside of the State of Kansas or after having served a term in another jurisdiction, shall be initiated by facility staff.

#### **VI. Release Planning Conference Calls**

- A. Release planning conference calls provide an opportunity for open discussion among the offender, the parole officer, facility staff and any additional staff who are involved in the case. Release planning calls may be initiated by either facility or parole staff.
- B. The offender's family members, residence provider, mentor or other source of support may be invited to participate in the conference call, if necessary and appropriate.
- C. Release planning conference calls may be requested when the parole officer believes it is necessary to address a specific need or issue prior to release, or to provide additional information and support that will help the offender succeed upon release.
- D. To set up a release planning conference call, the parole officer should contact the Release Planner for assistance in determining the offender's availability for the call.
  1. When the call date and time has been determined, the parole officer shall notify all other participants and provide them with the conference call access numbers.
  2. The parole officer shall host the call as planned and document results of the call in TOADS.
- E. If a release planning conference call is initiated by facility staff, the parole officer should make every effort to participate in the conference call.

#### **VII. Mentoring4Success (M4S) Transitional Team Meetings (TTM)**

- A. Transitional Team meetings are scheduled by M4S staff to allow open discussion and planning regarding offenders with mentors who are nearing release.
- B. The parole officer should make every effort to participate in the TTM and incorporate the offender's mentor into supervision and support efforts.
  1. The parole officer may request a copy of the M4S Release of Information form signed by the mentor, if it is needed to help facilitate open communication.

#### **VIII. Immediate Releases to PRS**

- A. Efforts shall be coordinated to ensure that the appropriate release and parole intake procedures are followed when:
  1. It is determined that an offender admitted to the KDOC Reception and Diagnostic Unit as the result of probation violation(s) must be released to post-release supervision; or
  2. An offender is admitted with a sentence for which it is determined that he/she is eligible for release.
- B. Release plan information relayed to the parole office by facility staff shall be investigated prior to release whenever possible, as discussed in Section III.

- C. In the event that an appropriate release plan cannot be completed prior to the mandated release date, the Release Planner shall contact designated regional staff for assistance with placement.
  - 1. RDU Records staff shall be responsible for requesting copies of the release certificate from the Prisoner Review Board Administrator.
- D. Reporting instructions shall be coordinated between the Release Planner and the assigned parole officer.
  - 1. The Release Planner or designee shall advise the offender of the reporting instructions and provide the appropriate documentation.
- E. Parole Officer Responsibilities
  - 1. Contact the Community Corrections or Court Services agency if they previously supervised the offender to request information about the case. The information may include, but is not limited to:
    - a. Pre-Sentence Investigation;
    - b. Chronological Records (if not already accessible through TOADS); and,
    - c. Treatment Discharge Summaries.
  - 2. Request a copy of available case material from RDU staff and/or the SCU, if the information is not yet available in imaged records.
  - 3. Initiate supervision of the offender in accordance with IMPP 14-104A.

## **IX. Detainer Releases**

- A. In-State Detainer Releases (To include detainers filed under the Sexual Predator Act).
  - 1. When the offender is being released to an in-state detainer, the Release Planning Coordinator shall notify the parole office responsible for the supervision of offenders in the county holding the detainer.
  - 2. The parole office in the county of the offender's release plan (if different from that of the detainer) shall be provided with the following by the Release Planning Coordinator:
    - a. Notification of the offender's release to the detainer.
    - b. A copy of the release certificate.
    - c. The name of the law enforcement agency transporting the offender to the jurisdiction holding the detainer.
  - 3. In the event a detainer is lodged against an offender after the investigation has been completed, the Release Planning Coordinator shall:
    - a. Notify the parole office to which the offender was expected to report of the existence of the detainer; and,
    - b. Notify the parole office responsible for supervision of offenders in the county from which the detainer was lodged, if different from the original office of supervision.
  - 4. Parole staff in the county holding the detainer shall coordinate the transfer of case file to the parole officer responsible for supervision of the county to which the offender ultimately transfers after release from the detainer.

**B. Out-of-State Detainer Releases.**

1. When the offender is being released to an out-of-state, United States or ICE detainer, the Release Planning Coordinator shall contact the KDOC Interstate Compact Unit by telephone, electronic mail or fax 15 days prior to the potential release date and indicate the following:
  - a. Agency holding detainer;
  - b. Date of release;
  - c. Agency providing transportation; and,
  - d. Proposed residence plan.
2. Offenders released to out-of-state detainers shall be informed by the facility release planner or designee of the requirement for the offender to contact the KDOC Interstate Compact Unit by telephone or letter if released on bond, or for any other reason, by the detaining agency.
3. If the offender plans to reside outside of Kansas after resolving his/her detainer, the Release Planning Coordinator shall submit a transfer request through the Interstate Compact Offender Tracking System, before the offender's release date, and in accordance with IMPP 14-105A.

**C. Foreign State Releases of Kansas Parolees.**

1. Upon notification that a Kansas parolee will be released from a foreign state correctional facility, the Interstate Compact Unit shall notify the Kansas parole office to which the offender is expected to report and provide release plan information for investigation.

**X. Interstate Compact Residence Plans**

- A. Interstate compact residence plans should be submitted by facility staff during the Release Planning process when the offender requests to live in another state and provides information for a residence plan that seems viable.
  1. Interstate compact requests should be processed via ICOTS in accordance with IMPP 14-105A.
- B. The status of interstate investigations should be monitored by the interstate compact database (ICOTS). If a reply to investigation request is not received by the prescribed date, the receiving officer will be automatically notified of the delay.
  1. If the delay persists beyond what is considered to be reasonable, the Interstate Compact Unit may be contacted for assistance.
- C. If a response to the transfer request in ICOTS is not received at the time of release and reporting instructions have not been provided, the offender should be directed to reside in Kansas pending the response, in accordance with Interstate Compact rules.
  1. Upon release, the officer assignment in ICOTS shall be re-assigned to reflect the parole officer assigned to the case.
- D. Upon release of the offender to an interstate compact release plan, the Release Planning Coordinator or designated facility staff shall ensure one (1) copy of the signed release certificate is transmitted through the ICOTS system to the appropriate staff member in the receiving state.

1. The release planner shall be responsible for verifying that the plan is approved and the offender arrived in the receiving state by notification through the ICOTS system.

**XI. Management of Offenders without an Approved Residence Plan**

- A. Each Parole Director shall designate a contact person(s) who shall be responsible for assisting Release Planning Coordinators with problematic release plans and offenders who are scheduled to be released without an approved residence plan.
  1. The Parole Supervisor with responsibility for the geographic area of the residence plan or the offender's county of conviction, if there is not a residence plan, is the designated contact person.
- B. If an offender is unable to develop a release plan within five (5) days prior to the release date, the Release Planning Coordinator shall contact the designated contact person for assistance in developing a release plan.
  1. The offender's last county of conviction shall be considered in determining the region to which the offender will be assigned for final release planning efforts.
  2. Parole violators without a release plan should be referred to the last county of supervision to assist in the development of a residence plan and/or reporting instructions.
  3. Staff assigned to the case by the designated contact person shall work toward the development of a strategy for release, seeking out resources including asking for bed availability at shelters and other residential sources.
- C. Unless significant safety concerns are present, the offender should be released to the county/location that offers the best opportunity for housing, needed programs and services and/or a personal support system.
  1. The contact person shall be responsible for providing reporting instructions for the offender to the Release Planning Coordinator as soon as possible after contact prior to the offender's release date.
  2. Victim Services staff shall be contacted for input prior to any release plan being approved.

**XII. Case Tracking After Release**

- A. Upon becoming aware of an offender's release to supervision, the assigned parole officer or designee shall modify the release movement in OMIS and enter the assigned parole officer code.
- B. In order to ensure the offender's compliance with the reporting instructions, and to ensure that cases are tracked after release, the following procedures shall apply:
  1. A parole staff member designated in the Wichita, Hutchinson, Salina, Topeka, Kansas City, Olathe, Lawrence and Pittsburg offices, and in the Interstate Compact Unit, shall run the unassigned list once a week to identify released offenders within their unit/catchment areas who are unassigned.
  2. The same designated staff member shall follow-up on the unassigned cases on the list to ensure each offender has been assigned to a parole officer, and that the offender's status is known.
  3. The same designated staff member shall confer with the Parole Director of his or her region as necessary if any problem in the case assignment or case tracking process is detected for corrective action.



**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**

IMPP 11-117, 14-104A, 14-105A, 21-101  
4-APPFS-2C-02

#### **ATTACHMENTS**

None.