



KANSAS DEPARTMENT OF CORRECTIONS

	INTERNAL MANAGEMENT POLICY AND PROCEDURE	SECTION NUMBER 14-132A	PAGE NUMBER 1 of 3
	SUBJECT: PAROLE SERVICES: Law Enforcement Role and Responsibilities		
Approved By:  Secretary of Corrections	Original Date Issued: 08-19-15		Replaces Version Issued: N/A
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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

Under Kansas statute the Secretary of Corrections shall appoint parole officers who shall have and exercise law enforcement powers. KDOC parole officers are not trained or certified as full law enforcement officers and their law enforcement functions are limited to those that are specified in Kansas Department of Corrections policy.

Parole staff are expected to cooperate with law enforcement agencies toward the shared goal of public safety. Cooperation includes information sharing regarding offenders upon request or as necessary for collaborative work efforts. (4-APPFS-3D-34) All information sharing shall occur in a manner that is consistent with the confidentiality provisions of IMPP 05-101.

DEFINITIONS

Police Officer/Law Enforcement Officer: Employees of a state, county or city whose primary function includes the prevention or detection of crime and the enforcement of criminal or traffic laws.

Parole Officer: State of Kansas employees who serve in a position established by Kansas Statute whose primary function is the supervision and case management of offenders under sentence to the Secretary of Corrections and KDOC.

Special Agent: State employees in the parole officer classification who are trained in law enforcement functions and whose job duties focus on the location and capture of absconders, the arrest of offenders.

PROCEDURES

I. Legal and Reference Information

- A. K.S.A. 75-5214 authorizes the Secretary of Corrections to appoint parole officers and allows them to have police and law enforcement powers, however the Department of Corrections has not authorized the use of full law enforcement powers by parole officers.
- B. K.S.A. 75-5216 discusses the duties of parole officers. It requires parole officers to *“use all suitable methods to aid, encourage and bring about improvement in the conduct and condition of such parolee...”*
- C. K.S.A. 75-5202 discusses the role of parole officers as *“Investigation, supervision, arrest and control of persons on parole or post release supervision and the enforcement of the conditions of parole or post release supervision.”*

- D. The standard Position Description for a KDOC parole officer focuses on case management tasks and does not discuss or require any traditional law enforcement functions.
 - 1. The role of KDOC Parole Officer's is focused on offender supervision and case management, with responsibility to monitor and enforce conditions of supervision.

II. Authorized Law Enforcement Functions

- A. Parole officers who are designated as Special Agents may participate in a full range of law enforcement activities as authorized by the Director of Enforcement, Apprehensions and Investigations. Those functions include but are not limited to:
 - 1. The arrest and detention of offenders.
 - 2. Performing searches of offenders, their residences, or other locations as allowed by law.
 - 3. Assisting in criminal investigations.
- B. Law enforcement functions that may be performed by parole officers who are not designated as Special Agents are:
 - 1. Access to view and/or receive information from other law enforcement entities, such as arrest reports, information from criminal investigations or other information considered to be only for law enforcement use.
 - 2. Access to view, receive and share, as appropriate, confidential Law Enforcement information from the KCJIS and/or NCIC systems.
 - 3. Authority to share information with other law enforcement agencies, when necessary, such as offender address, location, or other information to assist with investigative or other law enforcement functions.
 - 4. Preparation of affidavit or other documentation for the prosecuting authority, if necessary to assist with prosecution in cases of GPS non-compliance. Referral for prosecution should be in accordance with 14-114A.
 - 5. May request that a warrant be issued for an offender on KDOC supervision, based on violations of release conditions, in accordance with 14-139A.
 - 6. May issue an Order to Arrest and Detain on an offender under KDOC supervision, with supervisory permission. An Order to Arrest and Detain may be issued without supervisory permission in emergency circumstances, in accordance with IMPP 14- 139A.
 - 7. May conduct searches on KDOC offenders as stated in IMPP 14-164. Pat down searches may be conducted during the urine testing process and prior to transportation. Plain view searches are also allowed.
 - 8. May detain KDOC offenders in emergency circumstances, in order to prevent the risk of immediate physical harm, as allowed by IMPP 14-129.
 - 9. May utilize the badge provided by KDOC as a supplemental source of identification for work related functions. The KDOC issued identification card is the primary and official source of identification.
 - 10. May carry KDOC issued pepper spray for personal protection while on the job, if authorized by the Deputy Secretary of Community and Field Services and training has been completed as required.
 - 11. May carry a Taser or other electronic stun device, if authorized by the Deputy Secretary of Community and Field Services and training has been completed as required.

12. May wear a ballistic vest for personal safety during field work, if available.

III. Cooperation with Law Enforcement Agencies

- A. Parole staff should cooperate with law enforcement agencies when necessary to assist with investigatory proceedings, locating offenders or other functions. This may include but is not limited to:
 1. Providing offenders residence, employment or demographic information.
 2. Providing offender location information, if necessary to assist in apprehension. Office arrests must be in accordance with IMPP 14-129.
 3. Providing general supervision information to assist with a criminal investigation.

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. 75-5214, 75-5216, 75-5202, 74-5602
IMPP 05-101, 14-114A, 14-129, 14-139A, 14-164
4-APPFS-3D-34

ATTACHMENTS

None.