

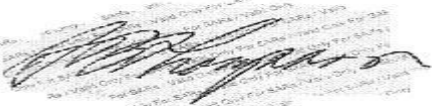


KANSAS DEPARTMENT OF CORRECTIONS

	INTERNAL MANAGEMENT POLICY AND PROCEDURE	SECTION NUMBER 21-104	PAGE NUMBER 1 of 3
		SUBJECT: VICTIM SERVICES: Apology Repository/Offender Preparation of Apologies	
Approved By:  Secretary of Corrections		Original Date Issued: 04-07-02	Current Amendment Effective: 10-01-07
		Replaces Amendment Issued: 04-21-05	
Reissued By:  Policy & Procedure Coordinator		The substantive content of this IMPP has been reissued as per the appropriate provisions of IMPP 01-101. The only modifications within the reissue of this document concern technical revisions of a non substantive nature. Date Reissued: 11-09-10	

POLICY

The Kansas Department of Corrections shall maintain an Apology Repository for receipt, retention, and appropriate distribution of apology/empathy letters written by offenders to their victim(s) and/or victim's families. Offenders shall be encouraged to author such letters either if and when they express to Departmental staff a desire to make appropriate apologies, or upon the request of victims and/or the victim's family members.

DEFINITIONS

None

PROCEDURES

I. Introduction of Process to Offender

- A. The process concerning the submission of letters for inclusion within the Apology Repository shall only be discussed with offenders when:
 - 1. The offender expresses his or her desire to apologize to their victim(s) and or victim(s)'s family; or
 - 2. If a victim or victim's family request an apology letter and one is not in the Apology Repository.
 - a. Victim Services staff shall forward the request to the offender's facility of confinement or field service office of post release supervision.
 - b. The offender's counselor or parole officer shall inform the offender of the request, and encourage him or her to author a letter of apology.

II. Explanation of Process to Offender

- A. If an offender expresses the desire to write an apology/empathy letter to his/her victim(s) or victim(s)'s family, the offenders' counselor or parole officer shall explain the apology process to the offender.
1. Offenders may send their apology/empathy letter(s) to the;

Office of Victim Services
900 SW Jackson, 4th Floor
Topeka, Kansas 66612
 2. Victim Services staff shall review the letter to determine whether or not the offender accepts responsibility for his or her crime, described and/or discussed the crime accurately, and used the victim's name in an appropriate manner.
 3. Acceptable letters shall be placed in the repository, and unacceptable letters shall be returned to the offender.
 - a. Letters that are returned to the offender shall be accompanied by a signed statement from Victim Services staff stating the reason(s) that the letter was returned.
 - b. Victim Services shall inform the offender by letter if the apology letter is accepted and placed in the repository.
 - c. Victim Services shall inform the offender when a victim receives an apology letter in those cases wherein the victim agrees to have the offender so informed.

III. Dispositions of Letters Within the Apology Repository

- A. If a crime victim or crime victim's family so requests, Victim Services staff shall forward the apology letter to the victim / family after ascertaining that there is not a valid restraining, no contact, or other type of protection order in existence.
1. A copy of the letter forwarded to the victim/family shall be retained within the Apology Repository.
- B. Victim Services staff shall not notify victims/families when an apology/empathy letter has been accepted into the repository except upon inquiry as set forth within procedure III.A., above.
- C. Victim Services staff shall not inform the Kansas Parole Board of the acceptance of an apology/empathy letter into the Repository.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities who 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 either 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

None

ATTACHMENTS

None