

# KANSAS PAROLE BOARD

FISCAL YEAR 2008

## ANNUAL REPORT



### **AGENCY VISION**

The Kansas Parole Board contributes to protecting the safety of citizens of the state of Kansas by the exercise of sound, rational decision making.

### **AGENCY MISSION**

Consistent with the principles of evidence based practices, parole privilege shall be extended to those offenders who demonstrate suitability by having served incarceration time set forth by the courts and who have demonstrated a reduction in risk to re-offend such that re-victimization is minimized and rehabilitation and successful reentry are maximized; similarly, parole suitability shall be rescinded in cases where an offender demonstrates increasing risk in the community.

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## PURPOSE AND COMPOSITION

### **Purpose of the Annual Report:**

This Annual Report is published by the Kansas Parole Board in accordance with K.S.A. 22-3710 and is designed to provide both general and specific information to the Governor, the State Legislature, the Judiciary, other criminal justice agencies, and the public.

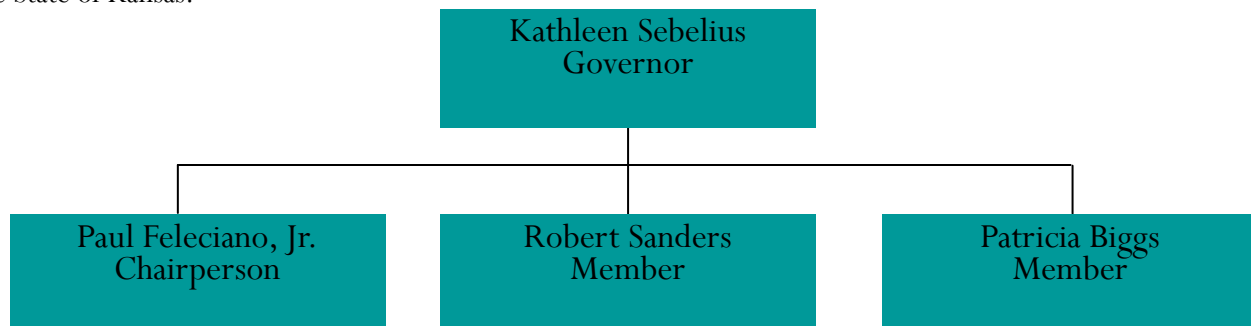
### **Historical Overview of the Kansas Parole Board**

The Kansas Parole Board's history may be traced to as early as 1864 when it focused its work strictly on commutations and in 1885 it was titled "Board of Pardons." In 1903 it was called the "Prison Board," and in 1957 it was called the "Board of Probation and Parole." The "Kansas Adult Authority" was its title beginning in 1974 and by 1986 it was named the "Kansas Parole Board."

The Board varied in size and required constitution ranging most often between 3 and 5 members, most typically with no more than a one-seat majority held by any political party, sometimes even requiring membership inclusive specific occupations such as ministers, farmers, or attorneys.

### **Composition of the Kansas Parole Board**

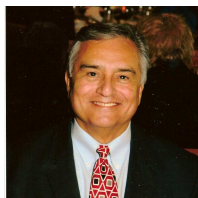
The Kansas Parole Board consisted of three full-time members in FY2008. Administrative, technological, clerical and support services are provided by employees of the Kansas Department of Corrections (K.S.A. 22-3713 (b)). Members are appointed by the Governor with confirmation provided by the Senate. No more than two members may belong to the same political party. Members serve staggered four-year terms and represent diverse backgrounds, professional training and expertise. Today's Board uses the best technology at hand to deliver fair and rational decisions, to do so from the most informed research-based perspective possible, and to contribute to the safety of the citizens of the State of Kansas.



	<b>Initial Appointment</b>	<b>Current Expiration</b>
Paul Feleciano, Jr.	September 2003	January 2007
Robert Sanders	September 2004	January 2012
Patricia Biggs	September 2006	January 2010

## MEMBER BIOGRAPHIES

### **Paul Feleciano, Jr., Chairperson**



Paul Feleciano, Jr. was appointed to the Kansas Parole Board on September 15, 2003. Mr. Feleciano served four years in the House of Representatives and 27 years as a Senator from Wichita. He has served in numerous leadership positions in the Kansas Senate including Minority Whip and Assistant Democratic Leader. Mr. Feleciano served on various committees including Ways and Means where he served on the subcommittee for Correctional Institutions. At the national level, Mr. Feleciano served as the President of the National Hispanic Caucus of State Legislatures. He served on the Council of State Government, as a member of the Intergovernmental and Executive Committees. In 1994, he received the "National Leadership Award" by *Hispanic Magazine* and in 1995, *Hispanic Today* named him "Man of the Year". In March 2004, the United States Hispanic Chamber of Commerce honored Mr. Feleciano with the Lifetime Achievement Award. Mr. Feleciano served in the United States Air Force and studied Petroleum Technology at New York Community College receiving an Applied Arts and Science Associate Degree. He is a member of American Legion Post #401, West Side Democrats Club, Kansas Correctional Association, American Parole and Probation Association, and the National Latino Peace Officers Association, and the chair of the Association of Paroling Authorities International's membership committee. He is a past president of the Wichita West Lions Club and former board member of the Kansas International Museum.

### **Patricia Biggs, Member**



Patricia Biggs was appointed to the Kansas Parole Board on August 12, 2006. Prior to her position with the Parole Board, Ms. Biggs was Executive Director for the Kansas Sentencing Commission for three years and was with the Kansas Department of Corrections for over seven years where she served as the Director of Research and Planning and as Special Assistant to the Secretary of Corrections. Prior to that, Ms. Biggs was an economist in Washington, D.C., a financial analyst in Pennsylvania, an instructor at the University of Connecticut, and an adjunct professor at Washburn University and Friends University. She has consulted for the National Institute of Corrections and for Harvard Business School. Ms. Biggs holds a Bachelor of Science from West Chester University of Pennsylvania, a Master of Arts from George Mason University in Fairfax, Virginia, and is A.D.B. (all but dissertation) in the Ph.D. program at The University of Connecticut. She has held memberships in the National Association of Sentencing Commissions, the American Probation and Parole Association, Association of Paroling Authorities, International, and the Justice Research and Statistics Association.

### **Robert Sanders, Member**



Robert Sanders was appointed to the Kansas Parole Board September 23, 2004. Mr. Sanders was employed by the Kansas Department of Corrections for 27 years and began his career with the Department of Corrections in July 1977 as a Corrections Officer at Hutchinson Correctional Facility. Mr. Sanders also held a variety of positions with the department including, Corrections Counselor I, Corrections Counselor II, Community Program Consultant, and State Director of Community Corrections. In May 2000, he was appointed to the position of Deputy Secretary for Community and Field Services. Robert graduated from Bethany College with a Bachelor of Arts degree in May 1977 and completed the requirements for the Certified Public Manager Program from the University of Kansas in December 1997. Additionally Mr. Sanders completed the Correctional Leadership Program sponsored by the National Institute of Corrections in 1997. He is past president of the Kansas Correctional Association, member of the American Correctional Association, member of the American Probation and Parole Association, and member of the Diversity Committee for the American Probation and Parole Association.

## PAROLE HEARINGS

The Kansas Parole Board conducts monthly hearings at each of the nine Kansas state prison facilities to determine parole suitability and issues decisions that promote development of goals outlined in offender case plans to reduce risk-enhancing behavior or enhance achievement of offenders.

Parole hearings are required for all adult felony offenders with an indeterminate term of imprisonment. Individuals with an offense date prior to July 1, 1993 and those sentenced pursuant to sentencing guidelines to off-grid terms\* require parole hearings.

During a parole hearing, an offender is given an opportunity to:

- Discuss the offense and any mitigating or precipitating factors;
- Discuss prior criminal history;
- Discuss progress made and programs completed, both required and voluntary, throughout the period of incarceration;
- Discuss disciplinary reports acquired throughout the period of incarceration;
- Present and discuss a reentry plan;
- Discuss other matters pertinent to consideration of release to community supervision.

\*Off-grid crimes include capital murder, murder in the first degree, and treason. Intentional second degree murder, if between July 1, 1993 and July 1, 1999, is also considered an off-grid crime.

## 10 PAROLE SUITABILITY FACTORS

In conjunction with K.S.A. 22-3717 (h), the following factors must be considered when determining parole suitability:

1. Circumstances of the offense
2. Previous criminal record and social history of the inmate
3. Programs and program participation
4. Conduct, employment, attitude, disciplinary history during incarceration
5. Reports of physical/mental examinations
6. Comments from public officials, victims or their family, offender family or friends, or any other interested member of the general public
7. Capacity of the state correctional institutions
8. Input from staff where offender is housed
9. Proportionality to sentencing guidelines
10. Risk factors revealed by any risk assessments

In addition to what must be considered statutorily when determining parole suitability, the Board also reviews each case independently and often considers additional factors such as the parole plan of an offender which includes detailed plans and goals established by the offender in preparation for potential reentry into the community.

\*Parole eligibility dates are determined by the court. By statute, the Kansas Parole Board conducts hearing interviews with offenders the month prior to this date.

## PAROLE DECISIONS

Decisions of the Parole Board regarding an offender's suitability for parole may result in decisions inclusive of, but not limited to, the following:

**Parole Granted :** When parole is granted to an offender, the Board also sets special conditions under which the offender will be supervised once released to the community. The date of release is determined by the Board. **The parole rate in FY08 was 26.2%.**

**Parole Denied :** When parole suitability is deemed not to have been achieved, the Board issues a **"Pass"**. The duration of the pass decision may vary in length based on the categorization of the offenses for which the offender has been convicted.

- *A, B or Off-Grid Felonies : The Board is required by statute to hold another hearing regarding parole suitability within three (3) years unless compelling reasons exist that would make parole suitability unlikely within this time period at which point an extended pass may be issued for up to ten (10) years if reasons for the extended pass are provided in the decision. (K.S.A. 22-3717 (j)).*
- *C, D and E Felonies: The Board is required by statute to hold another hearing regarding parole suitability within one (1) year unless compelling reasons exist that would make parole suitability unlikely within this time period at which point an extended pass may be issued for up to three (3) years if reasons for the extended pass are provided in the decision (K.S.A. 22-3717 (j)).*

**Decision Continued:** The Board may continue a case if additional information or deliberation is required. Examples of additional information or deliberation required include, but are not limited to, clinical evaluations, treatment discharge summaries (e.g., sex offender or substance abuse treatment), additional treatment information, Full Board Reviews, and/or review or screening by a structured living arrangement.

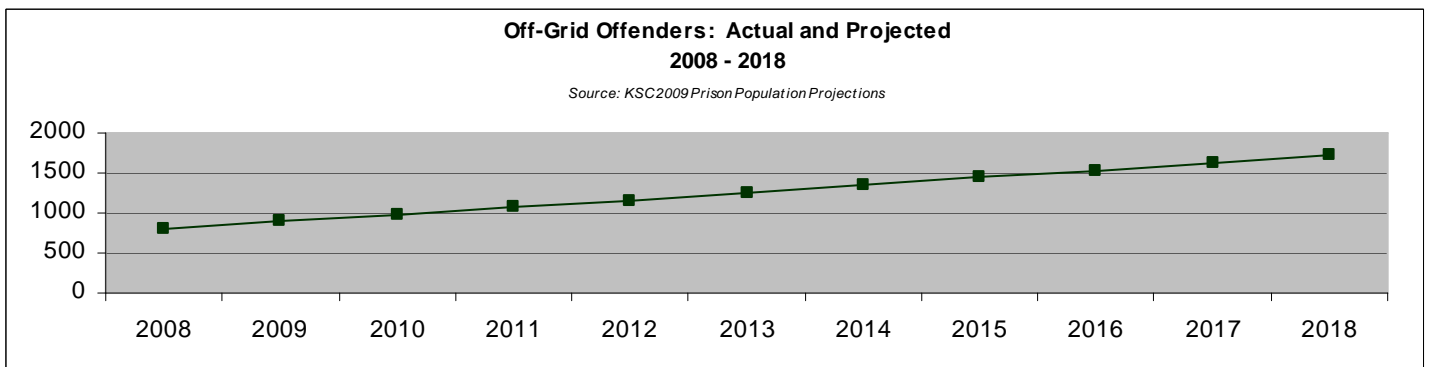
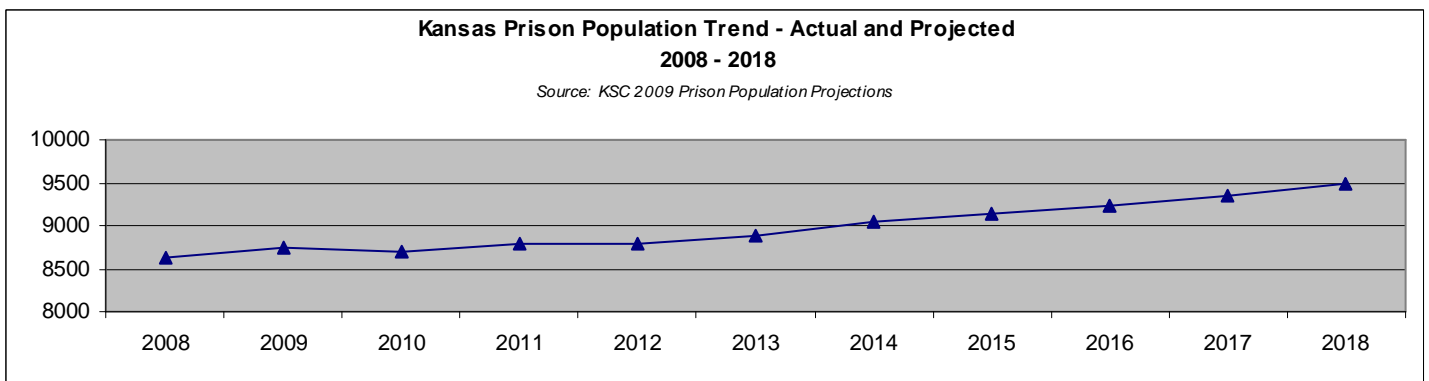
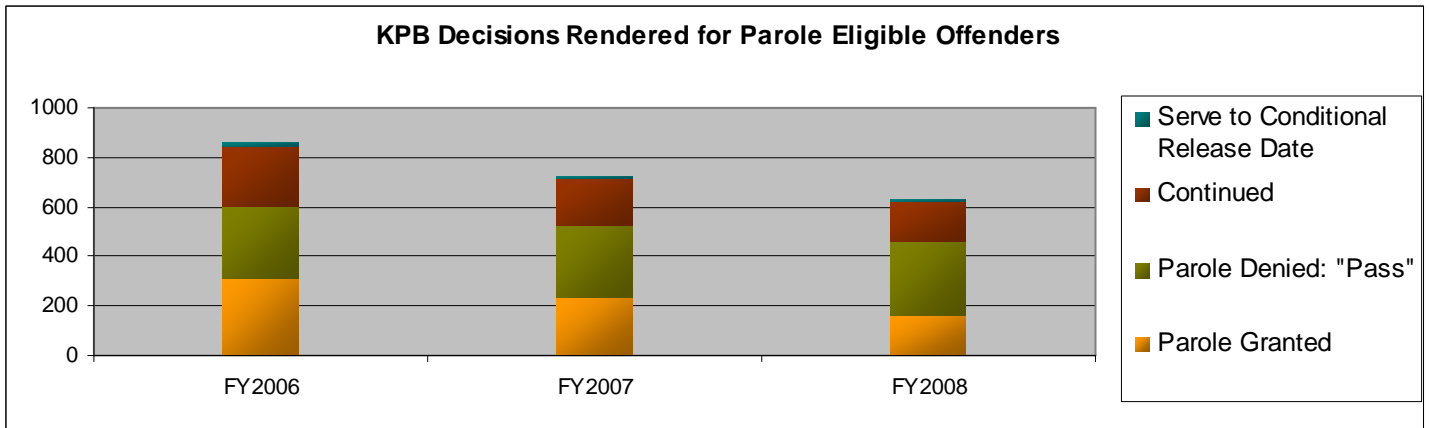
### KPB Decisions Rendered on Parole Eligible Offenders By Fiscal Year FY 2006 - FY 2008

	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2008</u>
Parole Granted	315	230	165
Parole Denied: "Pass"	286	297	291
Continued	246	188	165
Serve to Conditional Release Date	13	13	9
<b>TOTAL</b>	<b>860</b>	<b>728</b>	<b>630</b>

Source: OMIS Parole Decision File pb/spss

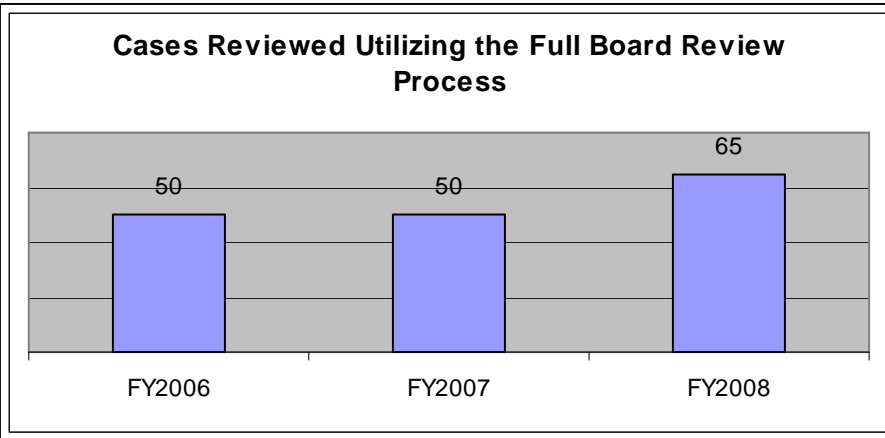
# PAROLE DECISIONS

In FY08, the number of decisions rendered for parole eligible indeterminate offenders was 630 compared to 728 in FY07. However, the number of hearings is expected to steadily increase in the coming years due to the use of off-grid sentencing terms (see Kansas Sentencing Commission Prison Population Projections). The remaining indeterminate cases are more serious and heinous and are dominated substantially by person crimes and person-sex crimes where the degree of harm experienced by the victim(s) is tremendous. These cases require more time in research and deliberation than property crimes or drug crimes. Furthermore, within the last two years there have been two new “growth” categories of hearing-types: (1) offenders sentenced to the “Hard-10” (effective 1997 under the sentencing guidelines) and Life-15 terms; (2) pre-guidelines A or B felony offenders who received a 10-year pass at the last parole eligibility hearing. These cases also require substantially more time in preparation for the interview and more time during the interview as the duration of activity and behaviors under consideration is extensive.



## FULL BOARD REVIEWS

Often, offenders do not receive a decision immediately following their hearing because the Board has continued their case for a Full Board Review. Full Board Review is a group-based problem solving approach utilized by the Board to present a comprehensive overview of a case to all Board members prior to issuing an informed decision which includes not only incarceration status, but also recommendations to assist in the reentry planning or case management of the offender in review. While formal reentry programs do exist, their focus is generally not placed on offenders who are subject to release by action of the Parole Board.



The Board utilizes the Full Board Review process for offenders with life sentences under possible consideration for parole or for the purpose of long-term planning, any high profile case which has strong opposition or media interest, sex offenders with the potential to be reviewed for civil commitment as a sexually violent predator, all extended passes where there is dissent between Board members, and any other case requiring problem-solving perspective.

## SPECIAL HEARINGS

An inmate has the right to request reconsideration of a parole decision under authority of K.A.R. 45-200-2 when he/she can present “new evidence that was unavailable at the prior hearing.” Each request for reconsideration must be made in writing. The presence of the inmate shall not be required when the matter is reconsidered.

### Special Parole Suitability Hearings

FY 2006	59
FY 2007	60
FY 2008	21

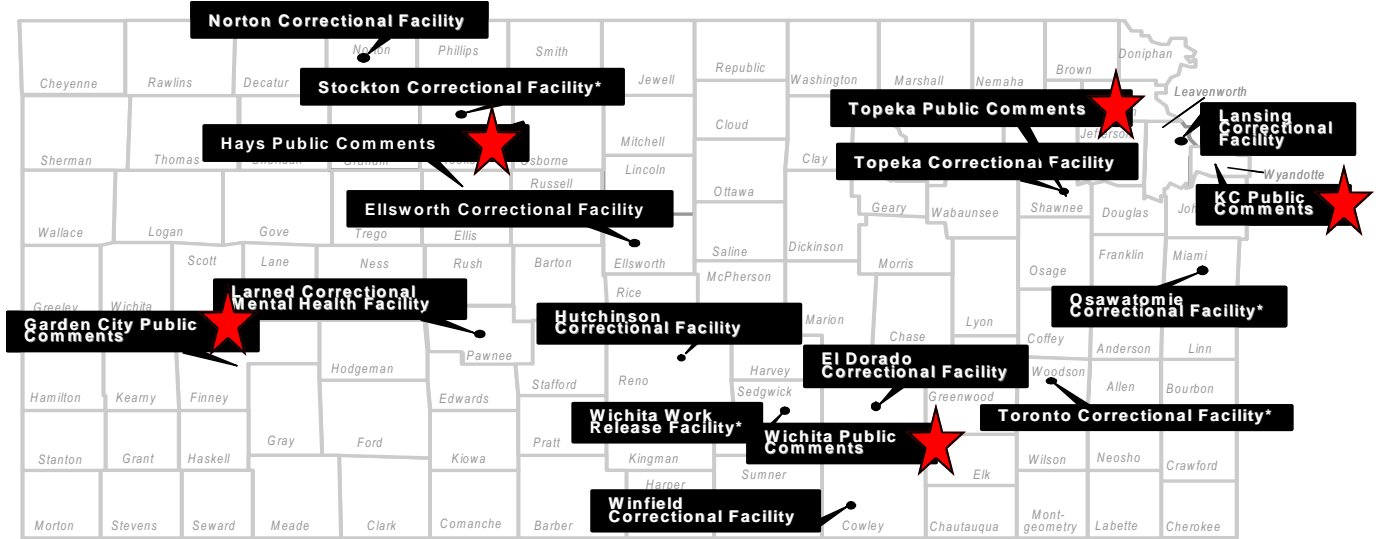
**Note:** The precision of this workload measurement appears to have the opportunity for improvement and efforts are underway currently to devise methods to more accurately define and reflect the exact volume of this measure.

Special Hearings may be held to examine new information that could affect, positively or negatively, a prior decision. In cases where new information is presented that could result in a positive effect on a prior decision, the Board conducts a hearing only after providing the public and victims of the crime an opportunity to comment on parole suitability.



# PUBLIC COMMENT SESSIONS

The Kansas Parole Board seeks comments from victims, family, friends, public officials, or any other member of the community relative to the potential parole of eligible offenders. Public Comment Sessions currently occur at five locations across the state including Kansas City, Topeka, Wichita, Garden City, and Hays. Sessions are offered monthly in Kansas City, Topeka and Wichita and alternating locations of either Garden City or Hays. These sessions provide an open forum for the public to access the Board for input into decisions and conditions for certain offenders. Public Comment Sessions are also utilized by parole officers to facilitate specific areas of case management with a particular offender on parole or post-release supervision.



A third and increasingly popular use of Public Comment Sessions occurs as offenders who request early discharge from parole are encouraged to meet with the Board for a formal interview to assist the Board in making informed decisions regarding such requests. Within the last year, a structured interview template was developed and is being utilized by Board members when an offender requests early discharge from parole at a Public Comment Session.

### Number of Public Comment Sessions and KPBLabor Hours Spent On This Duty

	FY2007	FY 2008	FY2009 (projected)	FY2010 (projected)
Number of sessions	43	47	48	48
Labor Hours documented (travel + meeting)	900 (est.)	972	1077	1077

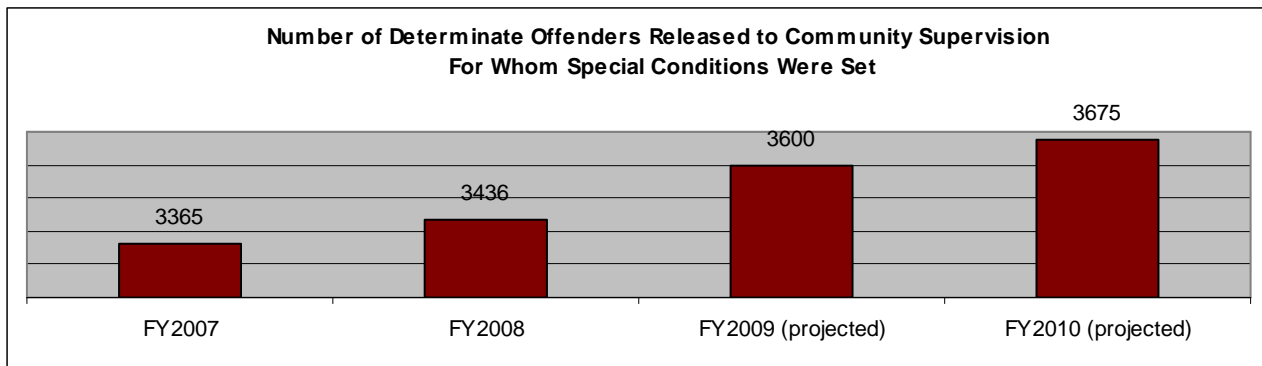
Any individual may submit an electronic comment regarding an offender’s parole suitability by accessing the Kansas Department of Corrections website at [www.dc.state.ks.us](http://www.dc.state.ks.us) and clicking on the Kansas Parole Board link. Information is available regarding public comment sessions within which an option exists to submit comments online.

## SPECIAL CONDITIONS

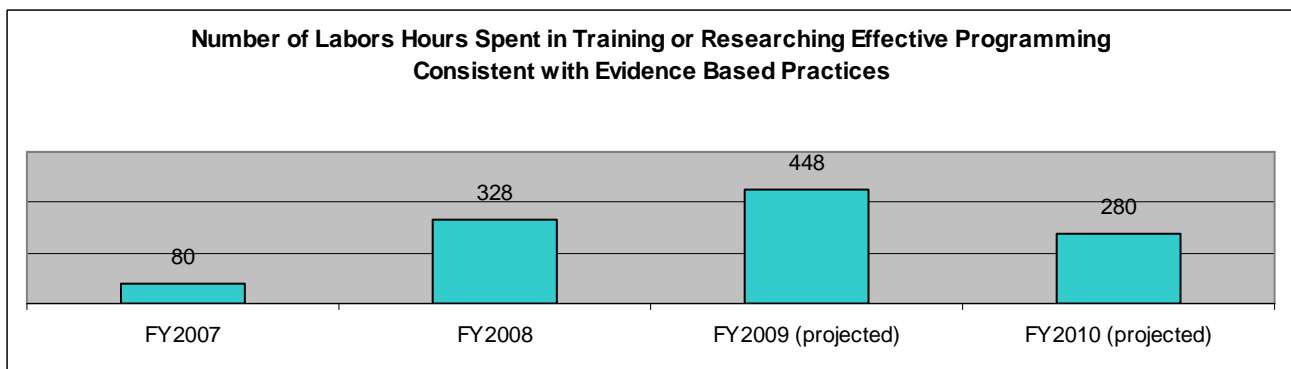
The Kansas Parole Board has the responsibility, as described in K.S.A. 22-3717 (i), to review the reentry plan of all releasing offenders and assign conditions of post-incarceration supervision. Currently all offenders have twelve (12) standard conditions of community supervision with which they must abide (see appendix). Additional, case-specific special conditions are set to facilitate successful community reentry and to minimize future re-offending behaviors; and must be followed for the duration of an offender's community supervision unless deemed no longer beneficial in case management.

Offenders sentenced under the determinate sentencing structure are not released under the Board's discretion, therefore, rarely meet with the Board prior to release from a prison setting. The Board must conduct a file review and assess the offender's risk areas, needs, programmatic accomplishments, institutional behavior, pattern of crime and victim input prior to establishing appropriate conditions. This process commences six months prior to an offender's projected guidelines release date and may be revisited several times within that six month time frame as new or amended information becomes available.

The Board also imposes special conditions of supervision for indeterminate sentenced offenders for whom a parole suitability determination is made. As with determinate sentenced offenders, the Board considers risk areas, need demonstration, prison behaviors and victim input.



The emphasis on reentry and successful reintegration has made this task qualitatively more challenging, involving more file reviews, and thus, more time. Furthermore, as the philosophy shifts to more individualized conditions tailored to the individual and his/her criminality, more thoughtful consideration must be given to the assignment of special conditions. In addition, the Board continually seeks additional opportunities to become more educated in cutting-edge effective programming that follows the principles of responsivity to address areas of individual risk and needs.



# REVOCAATION HEARINGS

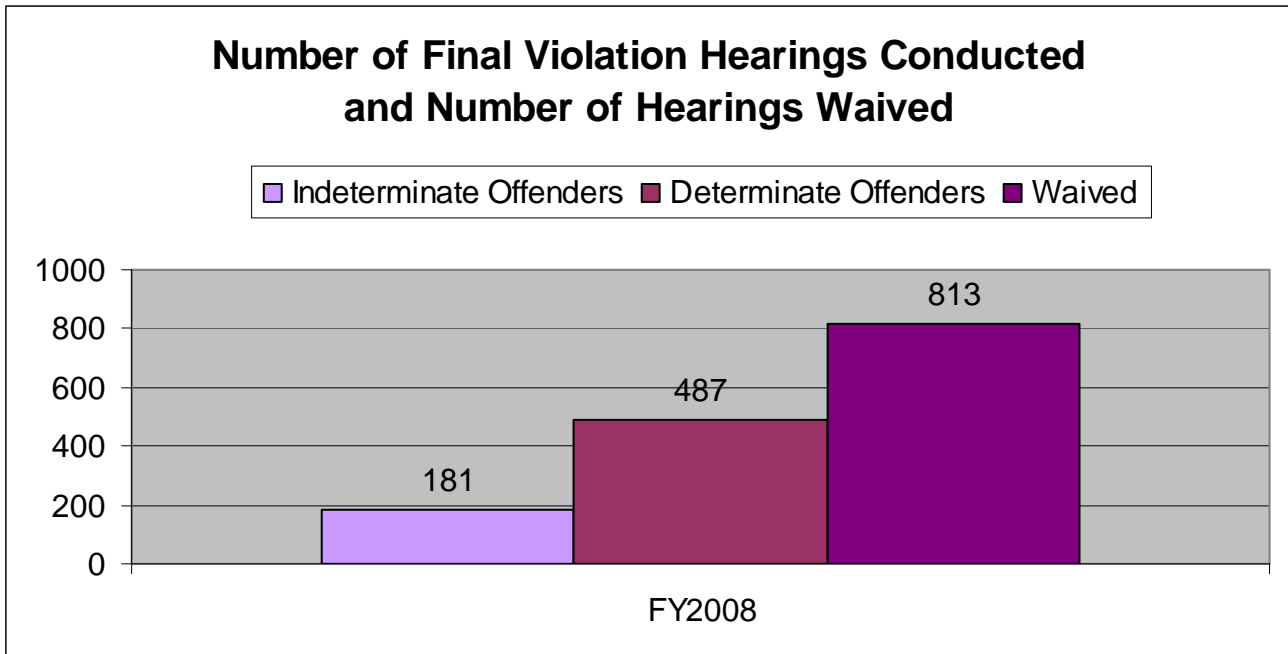
Final Violation Hearings are held monthly at each Kansas Department of Corrections facility and are the second tier in a two-tiered process that also includes a preliminary or Morrissey hearing conducted by parole staff to establish probable cause.

The Kansas Parole Board is charged with the quasi-judicial responsibility of determining, by a preponderance of the evidence, the likelihood that an offender has committed the violations of parole or post-release supervision conditions as alleged by his/her supervising parole officer. The Kansas Parole Board ensures that each offender is provided due process in this liberty-restricting hearing

If an offender sentenced to an indeterminate term of incarceration violates parole after being granted such privilege by the Board, the term of revocation is made at the Board’s discretion, within the boundaries of the sentence imposed by the court.

If an offender sentenced under the determinate sentencing guideline is found to have violated post-incarceration supervision, the Board shall impose revocation terms of either three (3) or six (6) months unless the offender has acquired new charges at which point, depending on the severity of those charges, the Board may order the offender to serve the entirety of his/her sentence in the correctional facility (K.S.A. 75-5217).

Determinate offenders who meet the criteria to waive their right to a Final Violation Hearing may do so by admitting guilt on all alleged violations.



## EARLY DISCHARGE REQUESTS

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Offenders sentenced under an indeterminate term can remain on supervision until the expiration of his/her maximum sentence, however, the Kansas Parole Board shall consider the appropriateness of applications for early termination of supervision. Application for early discharge from parole cannot be made less than one year following release from a prison institution and shall be made in accordance with K.S.A. 22-3717 and K.S.A. 22-3722. When requested, the Board must conduct an in-depth file review including, but not limited to the offender's history, progress since release from incarceration, status of fines, and employment status. The Board encourages parole officers to refer parolees interested in early discharge to public comment sessions for a structured interview with the Board members. In cases where discharge from parole appears favorable, the Kansas Parole Board works closely with the Kansas Department of Corrections Office of Victim Services to facilitate notification services to registered victims. Comments received from victims following notification are considered prior to making a final decision.

Only offenders sentenced under the determinate sentencing guidelines who have been sentenced to a presumptive period of post-release supervision as determined by the crime of conviction can be considered for early discharge from post-release supervision upon completion of any court-ordered programs and completion of the presumptive portion of their post-release supervision.

**In FY 2008, an estimated 200 requests for early discharge from parole were reviewed by the Board. Approximately one-half of these were logged into our database. Of the 99 logged applications for early discharge, approximately one-third were granted. This marks a decrease from FY 2007 where 52% of early discharge requests were granted.**

## CLEMENCY

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Historically far-reaching is the Board's duty to review and prepare recommendations to the Governor upon receipt of Clemency applications. Executive Clemency is an extraordinary method of relief and is not regarded as a substitute for parole. An offender who believes he/she has a deserving case for executive clemency may request the necessary applications from designated prison facility staff. Additionally, within the last year, necessary forms and instructions were made available to the public on the agency's Internet website at [www.dc.state.ks.us/kpb/clemency](http://www.dc.state.ks.us/kpb/clemency).

As required by law, a notice of the offender's application is forwarded to the official county newspaper in the county of conviction so that interested parties may submit comments. In the event that the offender does not have sufficient funds for the cost of this publication, the Department of Corrections assumes the cost. Comments are also solicited from public officials including the district attorney, judge, sheriff, police chief, and any registered victims of the offense.

**In FY08, the Board reviewed and forwarded 38 Clemency applications with recommendations to the Governor for final decision compared to 42 in FY07.**

Due to some administrative complexities and staff turnover experienced during this most recent fiscal year, the members of the Board believe that not all measures reflect accurately the work undertaken therefore, estimates are used where necessary with notation reflecting the number available in the databases at hand.

## FUNCTIONAL INCAPACITATION

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K.S.A. 22-3728 allows the Board to consider an inmate for release who is considered functionally incapacitated. An application is submitted by the Department of Corrections and referred to the Board. The application shall not be approved unless the Board determines that the person is functionally incapacitated and does not pose a risk to public safety. The Board shall consider the offender's current conditions and whether the conditions is terminal, age, personal history of the offender, the offender's criminal history, the length of the sentence and time served, the nature and circumstances of the current offense, the risk or threat to the community if released, and whether an appropriate reentry plan has been established.

**During FY08, the Board reviewed three applications. There were no offenders released by the Board under this provision.**

## SEX OFFENDER OVERRIDE COMMITTEE

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The Kansas Parole Board has been designated as a voting member of the Sex Offender Override Panel. Each month, one member of the Board is designated as a representative to serve on this committee. Thorough file reviews must be conducted for each offender being reviewed to determine if criteria outlined in the Kansas Department of Corrections policy warrants management as a sex offender. Varying degrees of override requests are reviewed ranging from full to partial relief of one's management as a sex offender in addition to requests identifying offender's with no documented criminal sexual offense yet behaviors that would warrant sex offender management.

**In FY08, the Kansas Parole Board participated in 12 meetings and reviewed a total of 372 override requests compared to 363 in FY07.**

## REENTRY INITIATIVES

The Kansas Parole Board, in concert with the wide-reaching state strategy of offender risk reduction, contributes to, cooperates with and provides leadership in offender reentry planning strategies and initiatives.

In addition to extensive reentry planning and development for indeterminate offenders, the Parole Board is also a key player in implementing and participating in “reentry hearings” with determinate-sentenced offenders who reside in long-term segregation. In the past, these hearings were similar to parole suitability hearings, however, the Board is currently working in conjunction with the Department of Corrections to review the previous practices and implement a new, multi-disciplinary strategy that would involve not only the Board and the offender, but also facility staff, the parole officer, mental health professionals, relevant treatment providers, Victim Services, and the offender’s family. The purpose of these hearings, however, remains to assist the highest-risk offenders plan for reentry to society after being incarcerated in segregation for an extended period of time.

The Board routinely works with facility and parole staff in addition to staff who span the boundaries between these two realms of offender management. In addition, the Board is involved in various committees and councils listed below that have been formed in an effort to continually improve and perfect the states practices surrounding effective offender management.

<b>Committee/Group/Activity</b>	<b>Frequency</b>	<b>KPB Member(s) Assigned</b>
Community Accountability Panels	As needed	Robert Sanders
Conditions of Community Risk Reduction	Monthly	Paul Feleciano, Robert Sanders, Patricia Biggs
Kansas Reentry Policy Council	Quarterly	Paul Feleciano
Kansas Reentry Policy Steering Committee	Min. of Monthly	Robert Sanders
Kansas State Council for the Interstate Adult Offender Supervision Compact	As Needed	Robert Sanders
LSI-R© Validation, Quality Assurance, and Evaluation Project	As Needed	Patricia Biggs
LSI-R© Subcommittee for Statewide Implementation	Min. of Monthly	Patricia Biggs, Chair
Parole Management Team	Quarterly	Paul Feleciano
Proportionality Subcommittee	Monthly	Patricia Biggs
Sentencing Commission (K.S.A. 74-9101)	Monthly	Patricia Biggs
Sex Offender Override Committee	Monthly	Rotates between KPB members
Victim Advisory Council	Quarterly	Robert Sanders

## VICTIM SERVICES

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The Kansas Parole Board works closely with the Kansas Department of Corrections Office of Victim Services to facilitate notification processes, enhance confidential communication of victims' concerns, implement conditions to promote victim safety, and continuously identify opportunities that improve policies and procedures to include the victims in the parole process.

Requests for additional information or notification services should be directed to:

Victim Notification Officer  
Kansas Department of Corrections  
Landon State Office Building  
900 SW Jackson, Suite 400  
Topeka, Kansas 66612

Or call 1-888-404-6372

Information may also be obtained on the Kansas Department of Corrections website at [www.dc.state.ks.us](http://www.dc.state.ks.us)

All victims shall be assured that notification information is kept confidential.

## CONCLUSION

The Kansas Parole Board is an integral part of the Kansas Correctional system. As with other jurisdictions in the United States and abroad, the Kansas correctional system is frequently under close scrutiny in a quest for methods of improving and strengthening policies, procedures and process. Because of the complexity of the issues involving crime and those who commit crimes, and the ramifications of how those issues are dealt with, the Board endeavors to continue reviewing, modifying and perfecting it's own procedures to work more effectively with offenders, law enforcement officials, victims, families, and the public. Only by taking into full account all of the above circumstances can the Kansas Parole Board accomplish it's stated objectives and goals. The Kansas Parole Board has identified the following six focus areas in which we will exert efforts to explore and expand knowledge in the next one to two years.

### ***1 – Proportionality of Felony Sentencing in Kansas***

Through work with the Kansas Sentencing Commission and the Kansas Recodification Committee, the Kansas Parole Board is assisting in the preparation of a proposal regarding proportionality of felony sentencing in Kansas. Included in this proposal will be a discussion of alterations to terms of post-incarceration supervision such that maximum benefit can be achieved for offender transition to the community, on-going risk reduction and community safety. Also included will be a discussion regarding terms of re-incarceration upon revocation which includes the prior conceptual work of the Parole Board in its consideration of discretion in some revocation terms.

### ***2 – On-Going and Increased Involvement with Offender Re-entry Initiatives***

The Parole Board is currently involved with the offender re-entry initiative however, we believe that opportunities exist for the Board to become more involved in this process. Here, the Board's emphasis lies in focusing on three specific areas: 1) offenders whose incarceration has been marked by long-term instability (e.g. substantial time served in segregation, substantial time participating in mental health focused treatment); 2) offenders whose risk is unmitigated yet they are approaching a determinate facility release date (e.g. offenders with a sex-offense who refuse to participate in treatment or are otherwise assessed on non-amenable to treatment protocols); 3) offenders who have substantial transition needs due primarily to long incarceration terms and/or no effective transition plan. Some of these groups are already served by re-entry services while some are not; some are subject to release by the Parole Board while some are not. Regardless of the type of sentence, these offenders need transition assistance and the Parole Board is involved in facilitating that effort.

### ***3 – Improve and Upgrade Technology.***

The Parole Board relies on the Department of Corrections for all administrative and technology support. However, the Parole Board, as a separate and distinct agency, has needs relative to Information Technology that are not shared with other users in the Department of Corrections. One such example is the need for a clear and accurate record of parole and final violation hearings in the event of any future litigation issues raised by an offender. The Parole Board recently purchased a DVD Recorder and is currently working with the Kansas Department of Corrections Information Technology division on set up and functionality of the recorder in conjunction with video-conferencing equipment already in use by the Board. The Parole Board will also continue to work closely with the Department of Corrections on improving the quality of the imaged document system. Clear, accurate offender information as well as ease in locating it within the imaging system is crucial to the Board's decision-making process.



## CONCLUSION

### ***4 - Professional Development***

The Parole Board will continue to work with local, national and international partners to explore options for integrating Evidence Based Practices into its organizational structure as well as its decision making processes. On National and International levels, the Board has on-going involvements with the following: 1) National Institute of Justice - Community Corrections Technology Working Group (Goal: To further the field in the area of technology, research, development and evaluation.); 2) Center for Effective Public Policy (supported by the National Institute of Corrections) - (Goal: To provide a comprehensive training to Parole Boards and related stakeholders so as to improve the performance of Boards.) As part of this initiative, five papers are currently under development and will cover topics such as: (a) Core Competencies of Paroling Authority Members and their Executive Staff, (b) Evidence Based Practices for Paroling Authorities, (c) Strategic Planning and Management for Results, (d) Addressing the Emerging Challenges Facing Paroling Authorities, (e) Higher Performing Parole Systems; 3) Association of Paroling Authorities International (APAI) with the US Department of Justice - National Institute of Corrections: Designing a Business Plan for APAI - (Goal: To consider the business operation of the APAI organization in its representation of the international group of parole authorities.)

### ***5 - US Department of Justice - National Institute of Corrections Technical Assistance Grant***

The Parole Board sought out and was approved for a technical assistance grant from the National Institute of Corrections (NIC). As the first step, this technical assistance involves bringing in national-level experts to Kansas to conduct an assessment of the Board in three strategic areas: 1) practice of Evidence Based Principles; 2) potential tool for quantifying the decision-making process; 3) organizational culture and structure assessment. This tripartite goal was derived based on NIC's 2008 publication of "*Comprehensive Framework for Paroling Authorities in an era of Evidence-Based Practice*" (Feb., 2008; Nancy M. Campbell, National Institute of Corrections).

### ***6 - Review of Determinate Revocations in the Context of Evidence Based Practices and current KAR and/or Policy Requirements***

The Parole Board will examine current practices/processes surrounding the conduct of revocation hearings for offenders serving determinate sentences and identify changes necessary to bring these practices/processes in line with the use of Evidence Based Practices. The Board will pursue any changes in regulations or policies that are necessary to achieve this goal.

The Kansas Parole Board welcomes comments or questions regarding this report or the parole system in Kansas. Contact can be made through our website or by using the contact information provided below.

## **Kansas Parole Board**

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## GLOSSARY

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**Clemency:** to pardon a person convicted of a crime, commute the sentence (shorten it, often to time already served) or reduce it from death to another lesser sentence.

**Conditional Release:** the date when an offender sentenced to an indeterminate term must be released. The conditional release date is calculated as half of the maximum sentence. Good time for conditional release is calculated in the same manner as for parole eligibility, therefore, if an offender has a three-to-ten year sentence, he/she will be released via conditional release after serving five years provided no good time has been lost. Once placed on conditional release, an offender will remain on supervision until the maximum sentence expiration date or granting of early discharge by the Board.

**LSI-R© “The Level of Service Inventory-Revised”** : a risk assessment tool employed across Community Corrections, KDOC Facilities, and Parole Services. This instrument is used to measure the probability of risk of re-offense for an offender. It is also used to assess the needs of an offender and, as such, is employed in case management and offender reentry. Since the KPB is involved with strategies associated with offender reentry, the Board also is involved with the risk assessment instrument, its deployment, and its use in the case management function. The results of the tool are used routinely by Board members in setting special conditions for the offender. (see also the “Committees and Special Projects” section of this report for additional information regarding involvement in the implementation and management of the LSI-R©).

**Maximum Sentence Discharge Date:** the date on which an offender’s sentence is considered complete. Neither the Board, nor the Department of Corrections has any authority to set conditions of release or to have any control over the individual’s conduct. The Board creates certificates of discharge for all offenders who have reached their maximum sentence expiration date.

## APPENDIX: STANDARD CONDITIONS OF COMMUNITY SUPERVISION

### Standard Conditions of Community Supervision

**I agree to:**

**1. Reporting, Travel, and Residence:**

- Report as directed to the assigned parole officer upon release from the institution or detainer and thereafter, report on a regular basis as directed by my parole officer.
- Reside only at my approved plan upon release from the institution and keep my residence there until given permission by my parole officer to relocate.
- Keep my parole officer continuously informed of my residence and employment.
- Obtain advanced permission from my parole officer to travel outside of my assigned parole district or the state of Kansas.

**2. Laws:**

- Obey all federal and state laws, municipal or county ordinances, including the Kansas Offender Registration Act and the DNA Collections Act.
- Notify my parole officer at the earliest opportunity, if I have any law enforcement contact for any reason.

**3. Weapons:**

- Not own, possess or constructively possess, purchase, receive, sell or transport any firearms, ammunition or explosive device, any device designed to expel or hurl a projectile capable of causing injury to persons or property, or any weapon prohibited by law.

**4. Personal Conduct:**

- Not engage in assaultive activities, violence, or threats of violence of any kind.

**5. Narcotics/Alcohol:**

- Not possess, use, or traffic in any controlled substances or other drugs as defined by law and not prescribed for me by a licensed medical practitioner.
- Not consume any mind-altering substances, including, but not limited to alcoholic beverages, wine, beer, glue, or paint.
- Consent to submit to a blood, Breathalyzer or urine test at the direction of the parole officer.
- Not tamper, falsify or dilute such a test.

**6. Association:**

- Not associate with persons actively engaged in illegal activity.
- Obtain written permission from the parole officer and institutional administrator to visit or correspond with inmates of any correctional institution.

**7. Employment:**

- Secure and maintain reasonable, steady employment within 45 days of my release from prison or residential treatment unless excused for medical reasons or an extension of time is given by my parole officer.
- Notify my employer of my current and prior (non-expunged) adult felony convictions and status as an offender.

**8. Education:**

- Make progress toward or successfully complete the equivalent of a secondary education (GED certificate) if I have not completed such by the time of my release and I am capable, as directed by my parole officer.

**9. Costs:**

- Pay restitution, court costs, supervision fees, and other costs as directed by my parole officer.

**APPENDIX: STANDARD CONDITIONS OF COMMUNITY SUPERVISION****10. Treatment, Programs and Placement:**

· Follow any directives given by my parole officer regarding assessment, referral, and placement for treatment, programs, or housing.

Comply with all aftercare recommendations and my relapse prevention plan.

· Submit to polygraph examinations as directed by my parole officer and/or treatment provider.

**11. Victim:**

· No contact with the victim(s) in my case(s) or the victim's family by any means including, but not limited to, in person, by phone, via computer, in writing or through a third party without the advance permission of my parole officer.

**12. Search:**

· Be subjected to a search by parole officers or designated law enforcement officers of my person, residence, and any other property under my control.