

# **KANSAS DEPARTMENT OF CORRECTIONS**

## **Division of Community and Field Services**

### **Supervision Handbook**

Version: September 2018



## **Kansas Department of Corrections**

### **Mission Statement**

The Department of Corrections, as part of the criminal justice system, contributes to the public safety and supports victims of crime by exercising safe and effective containment and supervision of inmates, by managing offenders in the community, and by actively encouraging and assisting offenders in becoming law-abiding citizens.

## **Introduction**

The Kansas Department of Corrections (KDOC) has developed this handbook to provide you with information about the requirements of your supervision and to clarify the assistance you may expect to receive from your Parole Officer and others. This handbook is yours to keep. Please read the handbook and keep it available for future reference. If you have difficulty reading or understanding the handbook, ask your Parole Officer to read or explain the handbook to you.

Periodically, changes may occur in supervision circumstances or conditions. When that happens, your Parole Officer will advise you of the changes. Please contact your Parole Officer or other KDOC staff any time that you have questions about your supervision status or requirements.

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## **The Supervision Process**

The purpose of supervision is to help you to lead a law-abiding life and to monitor your activities and compliance while on supervision. Rules or conditions are put in place by the agency that released you. This may be a Court, the Prisoner Review Board, or the parole board from another state. Enforcing the rules is part of the supervision process and a Parole Officer will review the rules and conditions with you so you are aware of the expectations. Your Parole Officer is here to help you succeed in the community so please let him/her know if you need assistance at any time during supervision.

While under supervision, your Parole Officer will periodically conduct assessment interviews. The interviews will cover several different topics including your prior record, family, finances, housing, substance abuse issues, etc. These interviews are an opportunity for your Parole Officer to get to know you and identify areas to focus on to ensure your success on parole. The assessments will help determine how often you will be reporting to the parole office and will assist the officer in determining your needs.

As part of the supervision process, the Parole Officer will monitor your activities and will be contacting family, friends, employers, and others. You may be required to provide urine samples or to go through other forms of drug testing at the discretion of your Parole Officer. You may be placed on electronic monitoring or global positioning system (GPS) monitoring or you may be required to enter into a residential facility or treatment program. You may be referred to community resources for assistance or for services that may be necessary. Your Parole Officer is able to assist you in locating help within your local community and will support you in making positive changes in your life. All decisions about your case will be made on an individual basis and your success will depend on your willingness to communicate with your Parole Officer and comply with the conditions of your supervision. If you choose to violate conditions of your release, you will face sanctions or interventions as determined necessary by your Parole Officer. Jail time or a return to prison can be used, if necessary, to address violations or concerns about public safety.

During your supervision period, you and your Parole Officer will develop goals for your Case Plan. These goals should be focused on helping you be successful on supervision and in avoiding any new criminal behavior. They might include getting your driver's license, setting up counseling, staying drug/alcohol free, or working to develop a social life that will support a crime-free lifestyle. You and your Parole Officer will review these goals on a regular basis to evaluate your progress.

## **Expectations for Interactions with Others**

You are expected to behave in a respectful and courteous manner during your interactions with others both in and outside of the parole office. These expectations include:

- ✓ Communicate with your Parole Officer and other KDOC staff or volunteers in a respectful manner.
- ✓ Not using vulgar or obscene language.
- ✓ Do not make sexual comments, inferences, or suggestions.
- ✓ Do not make comments or behave in a manner that is specifically intended to anger others or encourage argumentative behavior.
- ✓ When visiting the parole office, dress in a manner that is appropriate for the office and a professional setting. Clothing should provide sufficient coverage and not be too revealing or excessively baggy. Offensive words, pictures, or logos should not be visible.
- ✓ Practice personal hygiene and grooming habits that maintain bodily cleanliness.

## **Conditions of Supervision**

While you are under supervision, you will be required to comply with the standards and special conditions of your release. The standard conditions are listed below along with a detailed explanation of each.

### **#1: Obligations & Accountability**

- Keep scheduled contacts with my Parole Officer as directed.
- Reside only at my approved residence and keep my residence there until given permission by my Parole Officer to relocate. I will notify my Parole Officer within 24 hours of any changes in my residential status if there is an emergency need to relocate.
- Will participate in the development and implementation of my individualized plan. This plan may require me to obtain employment, secondary education, and attend and pay fees for treatment or other classes as directed.
- Obtain advanced permission from my Parole Officer to travel outside of my assigned parole district or the state of Kansas.
- Pay restitution, court costs, supervision fees, and other costs as directed by my Parole Officer.

Discussion:

### **Reporting**

It is your responsibility to meet the reporting requirements as set by your Parole

Officer. When an appointment date/time has been set, this means you have been directed to report to the parole office. If you are unable to report as directed, you must call the parole office before your scheduled appointment to see if your appointment can be changed. Calling the parole office does not count as reporting to the parole office for an appointment. If you are unable to report due to an emergency, you must contact your Parole Officer within 24 hours. If there are any changes in your residential status, you must reschedule within 24 hours and be able to provide verification for the reason you were unable to report at your scheduled time.

Contacts with Parole Officers may be scheduled or unscheduled. They may occur at the parole office, your home, or in the community. You may be directed to report at any time for random drug testing.

Be prepared for your appointment with your Parole Officer:

- ✓ Always fill out a report form – completely.
- ✓ Bring in employment verification, such as a pay stub.
- ✓ Bring receipts for payments on court costs, restitution, or supervision fees.
- ✓ Be ready to submit to drug testing which may include: urine specimen, blood testing, breathalyzer, and/or saliva testing.

### Residency

KDOC considers your residence as where you actually lay your head on a daily basis. If you are not staying at your approved residence every night, then you will need to first gain permission from your Parole Officer to do so. You are required to respond to letters, door hangers, and messages left at your residence within 24 hours. You should talk with your Parole Officer before making any changes in your residence or employment. If the change is beyond your control (an emergency), then you should notify your Parole Officer within 24 hours of making a change.

### Travel

To travel outside of your assigned parole district within the state of Kansas, you need to gain verbal permission from your Parole Officer. Requests for permission to travel should be made to your Parole Officer in advance whenever possible. Travel is considered a privilege and approval will depend on the reason for the travel and how well you are doing on supervision.

If you are granted permission to travel, you must travel in the most direct route and must return by the date agreed upon, or you must obtain further permission from the parole office.

### Treatment

You are expected to follow the plan or recommendations of any programming (i.e., mental health, substance abuse treatment, sex offender treatment, etc.) which you have completed, regardless of whether completed while incarcerated or while under community supervision. Your Parole Officer may verify your attendance and progress with any programs that you participate in.

You are required to follow directives given to you by your Parole Officer regarding any assessment, evaluation process, and/or treatment placement. If you choose to participate in a treatment program other than a KDOC contracted program, you must demonstrate that you are capable of paying for the cost of treatment and, if permitted to participate in the program, will be responsible for any expenses incurred while in that program.

### Employment

You are expected to find and maintain employment as directed by your Parole Officer, unless medical or other valid reasons prohibit you from working.

You are responsible for notifying any employer of all of your felony convictions, including your current offense(s) and past felony convictions, unless expunged.

If accepted for supervision in Kansas under the terms of Interstate Compact for Adult Offender Supervision, you must advise your employer that you are on probation or parole and state the offense, whether misdemeanor or felony.

Parole staff will contact your employer to verify your employment and to inform them of your felony convictions.

### Education

You may be expected to participate in an educational program if you do not have a GED certificate or High School Diploma.

### Fees

You are expected to work with your Parole Officer to develop a payment plan and then make regular payments toward any court costs and restitution owed. Those fees will be paid to the county of conviction or their designee.

You will be charged a monthly supervision fee by the KDOC and are expected to pay those fees as directed by your Parole Officer. Your Parole Officer will provide you with information so you may make supervision fee payments via mail or other options may be available.

Supervision fees may be waived in some limited situations. If you feel that you are unable to pay these fees, please tell your Parole Officer and ask for information about the indigence process.

If you are eligible to earn supervision good time, failure to pay restitution, supervision fees, or other costs, as directed, may result in the withholding of good time and delay your discharge from supervision.

Should you be recommitted to a KDOC facility with outstanding parole supervision or UA fees, those fees will still be owed and funds will be deducted from your inmate account until they are paid.

## **#2: Laws & Personal Conduct**

- 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 within 36 hours if I have law enforcement contact.
- Not engage in assaultive activities, violence, or threats of violence of any kind, threatening or intimidating behaviors, or lewd and lascivious behaviors.
- Comply with any order given by a Law Enforcement Officer.

### **Discussion:**

You are to report any arrest, charge, or contact with law enforcement authorities to your Parole Officer as soon as possible but no later than 36 hours from the contact. This can be done in person, by phone, or in writing if you are not allowed to call. Please note that every individual on supervision is entered into a database that is shared with law enforcement, and your Parole Officer will be notified if you have contact with law enforcement. All contact with law enforcement should be reported, regardless of the reason.

If you have old cases, tickets, or warrants that need to be resolved, please talk about them with your officer. If they occurred prior to the case you are currently being supervised on, then they will not be considered a violation of your supervision, but it will be important to get them resolved.

Conviction of a new criminal offense while on supervision can result in the revocation of your supervision and serving the remainder of your sentence in a KDOC facility rather than in the community.

Assaultive behavior, violence, threats of violence, or indirect threats of violence are completely unacceptable. Assaultive behavior can include verbal and physical assaults or any inappropriate sexual contact or sexual behavior. Any assault, threat, or inappropriate sexual behavior will be dealt with swiftly and appropriately.



You are expected to comply with any and all directives given by Law Enforcement Officers. This includes any person authorized by law to serve a warrant or court order.

### **#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, any instrument or tool used with the intent to cause harm, or any weapon prohibited by law. Limitations include knives which can be automatically opened by the user or knives which are disguised as common items. A "knife" means a dagger, dirk, switchblade, stiletto, straight-edged razor, or any other dangerous or deadly cutting instrument of like character. Exceptions to the restrictions are knives related to employment, which may be used and carried only in connection with employment, and kitchen knives when used as intended for food preparation or consumption.

Discussion:

You are prohibited from owning, possessing, or purchasing any firearms while on supervision with the KDOC. Possession of a firearm or other weapon includes constructive possession, which is defined as having access to the weapon. This may include being in a vehicle with a weapon, having a weapon in your belongings, being in a residence where there is a weapon, or having a weapon in your home. You are prohibited from owning or possessing bullets or ammunition, black powder weapons, or any type of explosive device. Devices designed to expel or hurl a weapon include, but are not limited to, BB guns, slingshots, and paintball guns.

Other prohibited weapons may include brass knuckles, throwing stars, or any other weapon as defined in KSA 21-6301 (criminal use of weapons). The carrying of any type of knife is not allowed for those on supervision with KDOC.

If your employment requires the use of knives or items that could be considered weapons, it is your responsibility to inform your Parole Officer, and these items shall not be brought into the parole office.

### **#4: Narcotics/Alcohol**

- Not possess, use, or traffic 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, saliva, or urine test at the direction of the Parole Officer.
- Not tamper, falsify, or dilute such a test.

#### Discussion:

You may be tested for drug and alcohol use at any time. Various substance abuse testing methods may be used, such as urinalysis testing, breath tests, or saliva tests.

The use of synthetic drug substitutes or herbal mixtures designed to produce experiences similar to marijuana are forbidden. These products include, but are not limited to, Spice, K2, and bath salts.

Notify your Parole Officer of any medications taken, either prescription or over-the-counter. Follow the directions for any medications you take and do not take more than the recommended amount. Verification of medications taken may be required.

You will be charged a fee of up to \$40.00 for each drug testing result that is positive.

The use of alcohol or drugs while on supervision will also result in the loss of good time, if applicable.

### **#5: 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.

#### Discussion:

You are not to try to see, contact, or communicate with the victim(s) or victim's family. If you wish to contact the victim(s) or the victim(s) family, you must first gain permission from your Parole Officer. A third party is defined as using another person to contact the victim(s) or the victim's family on your behalf. This third party contact is prohibited. You cannot use the telephone, a computer, or the mail to try to communicate with victim(s) or the victim's family.

### **#6: Search**

- Be subjected to a search of my person and my effects, vehicle, residence, and any other property under my control by Parole Officers,

any authorized parole staff, and Department of Corrections Enforcement, Apprehension, and Investigation Officers with or without a search warrant and with or without cause.

- Be subjected to a search of my person, residence, and any other property under my control by any law enforcement officer based on reasonable suspicion of violation of conditions of post-incarceration supervision or reasonable suspicion of criminal activity.

## Discussion:

As necessary, your Parole Officer may conduct a pat down or plain view search.

A Special Agent may conduct a search of you or your residence if a search is necessary, or suspicion exists that you have violated the conditions of your release.

By Kansas law, any other law enforcement official has the legal authority to conduct a search of you or your property if they believe you are violating conditions of your supervision.

## **Special Conditions**

Special conditions can be imposed by the courts, the Prisoner Review Board, or by your Parole Officer. They are imposed based upon your individual case needs either at the time of release or during the supervision period. Special Conditions can be related to a treatment program or service or may require a restriction such as GPS monitoring. You are expected to comply with any special condition as directed by your Parole Officer.

## **Association**

While under post-incarceration supervision, you must obtain written permission from your Parole Officer and Warden/Director of any county jail, state, federal, or private correctional institution before visiting or writing to any inmate of these institutions. Associating with anyone participating in illegal activity is not allowed and you are responsible for knowing and keeping yourself away from these types of situations.

## **Good Time**

If you are serving a determinate sentence, you may be eligible to earn good time while under supervision. Good time is awarded for positive behavior and when awarded, it results in an earlier sentence discharge date. If available, good time is awarded as long as you comply with the rules and conditions. Good time awards are generally conducted at six-month intervals. Please refer to Internal

Management Policy and Procedure (IMPP) 14-120A or ask your Parole Officer for more information about the good time process.

### **Grievance Procedure**

The grievance procedure is a way you can resolve complaints. If you have a complaint, you need to discuss the complaint with your Parole Officer. If the issue is not resolved, you should request to discuss the matter with the Parole Officer's supervisor. Should the issue still not be resolved, you have the right to file a grievance, which includes the completion of a written grievance form. Ask your Parole Officer or other KDOC staff for assistance, if needed, in filing a grievance. This process and specific time frames must be met in order for your formal grievance to be considered.

### **Informant Policy**

An informant is an individual who provides information to law enforcement officers, which is beyond routine contact that may occur such as witnessing a crime, filing a report, or cooperating with an investigation. It often includes participation in criminal activity itself. You are prohibited from working as an informant unless special circumstances exist. Individuals under supervision may be permitted to be utilized as informants to assist law enforcement agencies, subject to certain limitations. You may be permitted to act as an informant only after there has been a signed consent form, approved by KDOC. Please discuss this situation with your Parole Officer if you have any questions.

### **Recordings**

Any video or audio recordings that involve KDOC staff or property can only be initiated by KDOC staff for quality assurance, training, or investigative purposes.

### **Prison Rape Elimination Act (PREA)**

The Kansas Department of Corrections follows federal legislation set forth by the Prison Rape Elimination Act of 2003 to help reduce and address sexual assaults that may occur between inmates in a correctional setting. If you have been or are currently a victim of sexual assault in a custodial setting, please ask your Parole Officer for information about resources that may be available to you.

Everyone has the right to live without being victimized. If you feel that you have been propositioned (sexually), or if you believe that any employee, contract employee, or volunteer with the Kansas Department of Corrections has acted inappropriately towards you in a sexual or other way that made you feel uncomfortable, you are encouraged to report that incident as quickly as possible in writing and/or by telephone to the Parole Director or his or her designee. The

complaint will be investigated and probably will involve further interviews with an investigator to be sure the report is complete, prior to any action being taken. You may not be informed of the results of the investigation, but you will be told when the investigation is complete. Your information is important to us in order to correct any policy, practice, or person's behavior that is necessary to assure that the situation does not reoccur.

### **Expungement**

Depending on the type of conviction, your criminal record may be able to be expunged, or erased, after you serve your sentence and a waiting period as required by law. *Black's Law Dictionary* defines "expungement of record" as the "Process by which record of criminal conviction is destroyed or sealed after the expiration of time." While expungement deals with a criminal record, it is a civil action in which the subject is the petitioner or plaintiff asking a court to declare that the records be expunged. Each jurisdiction whose law allows expungement has its own definitions of expungement proceedings. Generally, expungement is the process to "remove from general review" the records pertaining to a case. In many jurisdictions, however, the records may not completely "disappear" and may still be available to law enforcement.

For more information about expungement, refer to Kansas Statutes Annotated 21-4619.

### **Possession of Firearms After Sentence Discharge**

The ownership and possession of firearms by convicted felons is governed by both State and Federal law. Depending on the type of conviction, you may be allowed to own or possess a firearm after you are discharged from your sentence. For information about your eligibility to use or own a firearm, after completion of your sentence, you may contact the Bureau of Alcohol, Tobacco, Firearms, and Explosives at 202-648-7110 (Relief from Disabilities Section). The address of the agency is as follows:

**Explosives Relief of Disabilities Section  
Bureau of Alcohol, Tobacco, Firearms, and Explosives  
99 New York Avenue, NE  
Mailstop 6E405  
Washington, DC 20226**

For information regarding the State of Kansas regulations regarding possession of a firearm after discharge from supervision, contact:

**Kansas Attorney General's Office  
120 SW 10<sup>th</sup> Avenue  
Topeka, KS 66612  
(785) 296-2215 or 1-888-428-8436**

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## **ACKNOWLEDGEMENT OF REQUIREMENTS**

### **ACKNOWLEDGMENT OF EXPLANATION OF SUPERVISION CONDITIONS**

I acknowledge that I have been informed of all the conditions of release, that they have been explained to me, and that I understand the requirements of supervision. I have received a copy of the *KDOC Supervision Handbook*, which has been reviewed and explained to me.

### **ACKNOWLEDGMENT OF FIREARM PROHIBITION**

I have been informed of the prohibition governing possession of a firearm by a convicted felon. I have been provided with information, via the Supervision Handbook, which explains how to gain information about relief from the prohibition, once discharged from supervision.

### **ACKNOWLEDGMENT OF GRIEVANCE PROCEDURE**

I have been informed of the grievance process and the procedures for filing a formal grievance in the event that a problem cannot be resolved informally.

### **ACKNOWLEDGMENT OF INFORMANT POLICY**

I have been informed of the Kansas Department of Corrections policy which requires that, while being supervised by the Kansas Department of Corrections, I may not act as an informant without prior approval from KDOC staff.

### **FOR INTERSTATE COMPACT OFFENDERS ONLY**

I understand and agree to comply with all conditions of my release as established by both the State of Kansas and the sending state.