

# Kentucky State Corrections Commission Guidelines for Community Corrections Programs

Rev. 12-2018

The Kentucky State Corrections Commission, herein referred to as the Corrections Commission, was created to administer Community Corrections Programs (CCP) with local government agencies, private nonprofits and/or charitable organizations. Community Corrections Programs (CCP) are designed to provide sentencing alternatives for the judicial system and to assist local agencies in providing treatment, rehabilitation, and restitution opportunities.

Community Corrections Programs provide alternatives to incarceration for targeted offenders as defined by KRS 196.700. Targeted offenders are persons charged with or convicted of one (1) or more felonies who under application of law are eligible for probation or suspension of sentence. Targeted offenders may participate in a Community Corrections Program (CCP) if they are court ordered or if supervised by the Division of Probation and Parole (P&P).

Community Corrections Programs offer additional resources and opportunities to increase the potential for successful completion of sentences. Additionally, these programs allow individuals to remain in their local communities while they participate in home incarceration and electronic monitoring, drug testing, work release, treatment, counseling and rehabilitation services including mentoring and coaching, employment and job search assistance, and workforce development training. These options can help reduce recidivism and break the cycle of repeated incarcerations.

Award amounts vary depending on the scope of the programs and budget availability. Programs are funded on a July 1 – June 30 cycle.

**Statutory Authority:** KRS 196.700-KRS 196.736.

## **Purposes of Community Corrections Programs (CCP) - (KRS 196.705)**

1. Provide the judicial system with sentences to be used in lieu of incarceration;
2. Develop community-based sentencing alternatives to incarceration for certain individuals convicted of a felony; i.e. Targeted offenders, defined in 196.700 (8). Targeted offenders means persons charged with or convicted of one (1) or more felonies who under application of law are eligible for probation or suspension of sentence.
3. Monitor and enforce the payment of restitution to victims of crime and the community through financial reimbursement, community service, or both;
4. Stimulate local involvement in community corrections programs to assure that they are specifically designed to meet the needs of the sentencing court and the community; and
5. Reduce expenditures of state funds by increasing community-based sentencing, reducing the rate of recidivism, and reducing revocations of probation and parole.

## **Eligible Applicants**

Community Corrections Programs (CCP), local government agencies, private nonprofits and/or charitable organizations are eligible to apply. Community Corrections Programs are administered within the judicial circuit and shall perform one (1) or more of the following:

- (a) Prepare community penalties plans;
- (b) Directly provide, arrange, or contract with public and private agencies for sentencing services for offenders; and
- (c) Monitor the progress of offenders placed on community penalty plans or who receive sentencing services through provisions of KRS 196.700 -196.735.

Awarded agencies should be governed by a community corrections board which may be a new or existing board. Grants may be awarded only to community corrections boards as provided in KRS 196.725 unless the commission determines that the community corrections program is governed by a board which will serve the same functions as described in KRS 196.700 – 735, and that establishment of a new or additional board as described in KRS 196.725 would impose an administrative burden upon or pose a conflict of interest in the program.

The purpose of the community corrections boards is to provide direction and assistance in the design, implementation, and evaluation of the community corrections program. The board shall be organized as nonprofit corporations under KRS 273 and shall consist of not less than eight (8) members, and shall include, judges, commonwealth attorneys, defense attorneys, crime victims or survivors, community leaders, social workers, law enforcement officers, probation officers, and other interested parties. Members of the board shall receive no compensation for their duties and shall meet (in compliance with Kentucky Open Meetings Law, KRS 61.800-61.850 and 61.991) on a regular basis to develop the program budget, select new board members, arrange for a private and independent audit, approve Quarterly Performance Report Form, and develop procedures for contracting services. KRS 196.725.

### **Pre-Application Planning Requirement: Developing a Community Corrections Plan (KRS 196.720)**

Community Corrections Programs applying for grants under KRS 196.700-735 shall prepare a community corrections program plan for the judicial circuit, as prescribed by the commission. More than one (1) community corrections program plan may be prepared, submitted, and approved for any one (1) judicial circuit. The plan shall include:

1. Objectives of the community corrections program described in the community corrections plan.
2. Realistic goals for reduction of offenders committed to prison for each county within the judicial circuit, and a system of monitoring the number of commitments to prison.
3. Procedures for identifying targeted offenders and a plan for referral of targeted offenders to the community corrections program.
4. Procedures for preparing and presenting community penalty plans, also known as, alternative sentence plans to the court, where applicable
5. Procedures for obtaining services from existing public or private agencies, and a detailed budget for staff, contracted services and all other costs.
6. Procedures for monitoring the progress of offenders on Alternative Sentence Plans and for cooperating with the probation personnel who have supervisory responsibility for the offender, where applicable.

7. Procedures for returning offenders who do not comply with their Alternative Sentence Plans to court for action by the court.
8. Procedures for evaluating the program's effect on numbers of prison commitments and revocations of probation and parole.

### **Funding Cycle**

Grants are awarded on performance and funding available in accordance with the state fiscal year, July 1 to June 30.

### **Notification of Funding Availability (NOFA)**

Notice of funding availability (NOFA) will be issued from the Governor's Communications Office, the Department of Corrections and the Justice Cabinet websites, and social media.

The Department of Corrections will send notice to all county governments (120), jailers and judicial districts (57) via letter and/or email. These are generally mailed in the month of December and/or January.

Interested parties shall contact the Department of Corrections' Office of Grants to obtain a copy of the requirements and forms, along with directions on how to apply and the timeframes for submission.

### **Submission of Grant Application (see list of Attachments on page 6)**

Applicants must submit a completed application via the online portal through the Kentucky Justice and Public Safety Cabinet's Electronic Grant Management System at [www.kyjusticegms.com](http://www.kyjusticegms.com). Applicants may contact Kentucky Department of Corrections' Office of Grants if they have questions or need assistance with the Electronic Grant Management System. Concerns should be addressed before the grant submission deadline.

The project narrative shall identify the problem to be addressed; define the targeted population; and define project goals, objectives and measurable performance indicators, (i.e. proposed impact on recidivism, revocations, and project success rate as defined in the Quarterly Performance Report Form in Appendix A).

The applicant shall submit a completed application to the Department of Corrections for submission to the Corrections Commission, according to the established schedule.

Incomplete applications and applications received after the deadline will not be considered.

### **Awarding of the Grants and the Grant Review Process (KRS 196.710)**

Grant applications and attachments are reviewed and approved by the Corrections Commission. DOC will notify all applicants of funding decisions and provide signature documents and requirements to the approved applicants.

### **Fiscal Disbursements and Audits**

Programs may not be considered for subsequent funding if required Quarterly Performance Reports are not properly submitted. In addition, current year funds may be terminated at discretion of the Commission.

DOC will arrange for an annual independent audit of each recipient. However, if an audit has not been conducted by the time to submit for final disbursement, grantees should attach a certified letter from the Chief Financial Officer stating review and compliance.

### **Fiscal Requirements and Stipulations (Reimbursement only)**

1. Funds shall not be used to supplant funds previously committed to programs by other state or county appropriations for probation, parole, or other post-prison supervision services or community corrections programs.
2. Projects cannot expend any funds unless services have been provided.
3. Funds shall not be used for operating costs, construction, or other costs associated with local jail confinement.
4. Funds shall not be used for cell phones, furniture, or computers.
5. Funds cannot be utilized for charitable contributions.
6. An employee shall not receive compensation from two (2) jobs for the same hours being worked.
7. Funds cannot be allocated for administrative fees.
8. Funds cannot be utilized for payment of income taxes, tax penalties, or interest on tax penalties.
9. Programs are encouraged to develop a sliding fee schedule for participants who have an ability to pay to reduce the expenditure of grant funds.
10. Funds may be used to pay salary and benefits for individuals employed in the program and can be prorated if the employee is not a full-time employee with the program. This applies to new hires and current employees if this is a continuation application.
11. Funds may be used to pay for supplies, materials, and services relating to counseling, clinical assessments or psychological testing, treatment, and substance testing.
12. Funds may be used to purchase equipment, if it is essential for the operation of the program and it must be identified at the time of application along with estimated cost. Equipment is defined as anything that has a value of \$500.00 or greater or a serial number. All equipment purchased with grant funds will be considered state property and must be made part of state inventory. An inventory listing of equipment shall be maintained.
13. All supplies and equipment must be purchased in accordance with State Purchasing Regulations. These regulations can be found through the Kentucky Finance and Administration Cabinet's Office of Procurement Services ([www.finance.ky.gov/services/eprocurement](http://www.finance.ky.gov/services/eprocurement)).
14. Funds may be used to pay for mileage at the state rate for an employee's travel while on duty for the program pursuant to state regulation.
15. Requests for training, travel, and lodging expenses must be submitted at the time of application. If approved, travel expenses shall be reimbursed at current state rates for meals, travel, and lodging. State travel and mileage reimbursement regulations shall be found through the Kentucky Finance and Administration Cabinet's State Employee Travel ([www.finance.ky.gov/services/statewideacct](http://www.finance.ky.gov/services/statewideacct)). All overnight travel must have prior approval from DOC except for travel and lodging for grant training conducted by DOC.
16. Funds must be used in accordance with the approved budget and grant stipulations. Deviations from the approved budget require a written request and justification from the grantee to the Commission for review and approval. The grantee shall not expend any funds unless services have been rendered.
17. A separate checking account should be established for this grant with two signatures required for every transaction. The fiscal officer and the person signing for the applicant agency cannot be the same person.

18. A uniform accounting system, which conforms to generally accepted accounting practices, must be maintained and include the following:
  - a. Retention of copies of all invoices/packing slips appropriately approved when received/paid.
  - b. Reconciliation of the checking account monthly.
  - c. Documentation of matching invoices and check amounts.
  - d. Submission of performance and financial accounting information; and any other pertinent information on a quarterly basis as required.
19. Procedures for procurement must be developed which will avoid the purchase of unnecessary or duplicative items. When feasible and cost effective, local agencies shall participate in state and/or local intergovernmental agreements for procurement of equipment and supplies. These procedures must be submitted to the Department of Corrections for review and approval prior to expending grant dollars.
20. Funds unobligated at the end of the grant period will remain with the Department of Corrections.
21. Financial obligations incurred after the effective grant termination date will be the responsibility of the grantee.
22. Financial records shall be maintained for a minimum of seven years. Personnel records shall be maintained for a minimum of five years. Information pertaining to offender records and the community corrections grant program files shall be maintained for a minimum of five years.
23. Individual time and attendance records must be maintained on all employees hired under this grant. This record should include: hours worked, activity, and duties performed, and must be approved prior to issuing employee payroll checks. Contract employees must also meet this requirement.
24. Agencies shall complete annual employee evaluations to be available for review by the department or the commission on request.
25. Interest earned from Community Corrections Program funds by the grantee shall be accounted for and returned to the program.
26. Grantee shall retain copies of all contracts/contractual agreements for audit purposes.
27. If personnel are hired under this grant, the following must be paid in addition to the gross salary: withholdings for FICA taxes; all other applicable federal, state, and local taxes; and any unemployment insurance or Worker's Compensation Insurance required by state, federal or local statutes.
28. Any grant funds that are not expended and reimbursed within 30 days of the grant year end will divert to DOC.

**Programmatic and Fiscal Reporting**

Grantees are required to submit quarterly programmatic and fiscal reports which detail the activity that occurred in the previous quarter. DOC will establish the reporting dates and supply the appropriate performance status forms (if different from Quarterly Performance Report Form in Appendix A). Programmatic reports are submitted to the Corrections Commission for review.

Each Community Corrections Board shall develop procedures to approve the quarterly performance report prior to submission to the Corrections Commission.

<u>Report for Quarter</u>	<u>Due by:</u>
July – August – September	October 15
October – November – December	January 15

January – February – March

April 15

April – May – June

July 31\*

\*There will be a two (2) week close out period at the end of the fiscal year. Grantees will have fourteen (14) days in which they may pay outstanding bills from the prior year.

Once a year, grantees are required to present to the Corrections Commission the progress of the program including updates on the Community Corrections Board. A suggested format for this presentation is provided in Appendix B.

Grantee may be requested to attend and/or participate in conference calls, as requested by the Corrections Commission.

Fiscal reports and reimbursement requests are reviewed by DOC.

If the review indicates that a program or facility is not in substantial compliance with current requirements of the grant or program plan, the Corrections Commission and the Community Corrections Board will be notified. Within thirty (30) days, the Community Corrections Board will determine if there is substantial compliance or satisfactory progress being made to achieve compliance. If substantial compliance is not being made, the Corrections Commission may suspend all or any portion of the grant. DOC shall provide written notice to the program of the decision of the Corrections Commission within ten (10) days of the decision to suspend all or any portion of the grant funding.

### **Evaluation**

The Corrections Commission will conduct an annual evaluation to determine the degree to which the prison commitments have been reduced and the project has accomplished the purposes set forth in KRS 196.705. Grantees shall maintain data in the format (i.e. Performance Status Form and/or others) determined by the Corrections Commission so that an evaluation can be completed.

Every program shall maintain files and keep documentation on services provided to each offender and in total for all participants. This should include, without limitation, referrals made, classes and counseling sessions completed, home visits completed, the number of drug tests administered per offender, amount of restitution paid and the number of volunteer hours/community service completed.

### **Attachments to the grant application, if applicable**

1. Performance Status Form. Please complete this form (as defined in Appendix A) based on the program projections for the grant cycle. If the program has previously existed, then complete the data for the previous two (2) years as indicated on the form. Also, complete the items identified as part of the proposal.
2. Certified letters of need from the Circuit Judge, Commonwealth Attorney, County Attorney or chief executive officer of the local governmental unit.
3. A list of all agencies/providers and what services they will be providing.
4. A list of the Community Corrections Board Member's contact information, job titles, as per KRS 196.725.

5. Community Corrections Board's calendar of meeting dates.
6. Community Corrections Plan.
7. Community Corrections Board IRS approval letter as a 501C3 Nonprofit.
8. Procurement Plan.
9. Articles of Incorporation.
10. Copy of most recent Audit.
11. Commonwealth of Kentucky Certificate of Existence.
12. Commonwealth of Kentucky Sales Tax Exemption Certificate.

### **Reporting**

Grantees are required to file quarterly fiscal and programmatic reports which detail the fiscal and program activity that occurred in the previous quarter on prescribed forms supplied by Corrections.

The Community Corrections Board shall review and approve the quarterly fiscal and programmatic reports prior to submission to the Corrections Commission.

## APPENDIX A: QUARTERLY PERFORMANCE REPORT FORM

The Quarterly Performance Report Form is to be used for quarterly reporting and for inclusion in the program application submittal to show proposed project performance into the new fiscal year. This spreadsheet is embedded below in this document. Click on the Excel Icon to open the spreadsheet. Comments are included in the spreadsheet to help define what exactly is to be included for a given parameter. Move mouse to hover over the red triangle next to the parameter and the explanation will pop up.

For current grantees, this form should be updated each quarter and sent to DOC as directed.

For grant applicants, complete the applicable portion of the spreadsheet as instructed below.

### Quarterly Performance Report Form

Project Title:		**Yellow are protected cells and automatically populated		***GREEN Cells need to be filled in by the program					
Project Objective:		****Orange in the sections are completed for proposal applications		*****Blue in light section are actual quarterly data					
		<b>FY 2019 Metrics / Activity</b>							
	FY 2017 Totals	FY 2018 Totals	FY2019 Proposed Totals	FY2019 starting active participants	FY 19 Q1	FY 19 Q2	FY 19 Q3	FY 19 Q4	FY2019 Actual Totals
Electronic Monitoring									
Comm Services									
Drug Tests Administered									
Tx Program									
Mental Health Court									
Restraint									
Child Support									
Other									
New Participants in the period									
Successful Completions (Graduate)									
Left the program in the period									
Revocation									
Current Active Participants going forward									
Total # Participants (touched)									
# of Pre Sentencing Participants									
# of Post Sentencing Participants									
Pre Sentence Jail Day Diverted									
Post Sentence Jail Day Diverted									
Total Local Cost Avoidance (\$32.78/day)					\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Total DOC Cost Avoidance (\$31.34/day)					\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Total avg days in the pgm per participant									
For Successful Completions, avg days in the pgm									
For Unsuccessful Completions, avg days in the pgm									
<b>Financial Report</b>									
Personnel									\$ 0.00
Contractual Services									\$ 0.00
Travel/Training									\$ 0.00
Operating Expenses									\$ 0.00
Equipment									\$ 0.00
Grant Expenditure for Quarter									\$ 0.00
Amount Paid for Quarter									\$ 0.00
FY 18 Total Award Amount									\$ 0.00
Percentage of Total Budget Spent					#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Payback	#DIV/0!	#DIV/0!			#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
<b>Program Working Success Rate</b>									
	Goal	Q1	Q2	Q3	Q4	Annual			
Graduation Rate (% of in the program this quarter)	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!			
Working Unsuccessful Rate	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!			
# Total Participants this quarter (touched)	0	0	0	0	0	0			
# Successful Completions (Graduates)	0	0	0	0	0	0			
# Unsuccessful Completions this quarter	0	0	0	0	0	0			
<b>End of Year Post Graduate Performance</b>									
	Proposal Goal	FY2018 Totals		Q4					
Returning Graduates	#DIV/0!	#DIV/0!		#DIV/0!					
New arrests									
Revocations									
Total New Arrests & Revocations	0	0		0					
Total # of Grads	0	0		0					
<b>EXPLANATIONS:</b>									

This same report form should also be completed when applying for a future program or continued funding. If the program has been previously funded, then the historical data should be populated in the form (i.e. FY 2017 (column D), FY 2018(column F)). Proposed totals should also be completed (i.e. FY2019 Proposed Totals (column H)) and 2 cells in column X (Estimated New Arrests and Revocations). Z24 and Z25 should also be filled in for programs that have previously been approved. In the proposal phase, it is not expected that the quarterly date be estimated (the blue shaded area) only the areas that have an

orange background are expected for the proposal. These blue background columns will remain blank until actual numbers are entered at the end of each quarter.

Use the worksheet under the “Blank Data” tab for all proposal and quarterly reporting work. The light green cells are to be populated, while the yellow cells are protected and have formulas that will automatically filled in as data is enter.



Quarterly Performance Report

Definitions for the parameters are identified as comments in the spreadsheet

**APPENDIX B: PRESENTATION MATERIAL TO THE CORRECTIONS COMMISSION**

Another tab on the Quarterly Performance Report file, titled Detail Data, shows example of the type of detail that should be tracked for each program. That tab in the worksheet can be used if the program does not already have a tracking tool. The expectation is that when the program makes its annual presentation to the Correction Commission that this level of detail will be provide and discussed.

**Detail Data Worksheet**

Program Title		Date Enrolled	Sentence Expiration Date	Pre-sentence	Post-sentence	Felon	Misdemeanor	Number of Days Enrolled in Program				Total Days Diverted	Average Cost of Jail	Cost Avoidance	Current Treatment	Current Status	Treatment Plan								Recidivism 6 month out	Recidivism 12 month out							
ID Indicator	Sentence Length							1st QTR	2nd QTR	3rd QTR	4th QTR		Sum of J * K	a. Counseling... x a week	b. Home visits... x a month	c. Report ins... x a month	a. Active	b. Complete	c. Revocation Pending	d. left program (Other)	a. Referral to MH for counseling	b. Referral to AA/NA	c. Drug Testing	d. Electronic Monitoring	e. Referral for Anger Management	f. Referral for parenting Classes	g. Assistance with Job Search	h. Criminogenic programs	i. Other				
<b>CARRY OVERS FROM PREVIOUS FY</b>																																	
				3	0	0	3	144	0	0	0	144	4551.84																				
CARTER	4/9/2018	120	8/6/2018	1		1		80				80	31.34	\$	2,507.20																		
WOODS	6/8/2018		7/27/2018	1		1		37				37	31.34	\$	1,159.58																		
CAUDILL	2/28/2018		4/12/2018	1		1		27				27	32.78	\$	885.06																		
<b>NEW ADDITIONS IN QUARTER 1</b>																																	
				0	0	0	0	0	0	0	0	0	1	0																			