

## KANSAS DEPARTMENT OF CORRECTIONS

	<b>INTERNAL MANAGEMENT POLICY AND PROCEDURE</b>	SECTION NUMBER	PAGE NUMBER
		11-115	1 of 10
<b>Approved By:</b>  Secretary of Corrections		<b>SUBJECT:</b>	
		<b>DECISION MAKING: Sex Offender Treatment, Management and Supervision</b>	
		<b>Original Date Issued:</b>	<b>05-07-02</b>
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<b>Reissued By:</b>  Policy & Procedure Coordinator		The substantive content of this IMPP has been reissued as per the appropriate provisions of IMPP 01-101. The only modifications within the reissue of this document concern technical revisions of a non substantive nature.  <b>Date Reissued:</b> <span style="float: right;"><b>08-12-11</b></span>	

### POLICY

The provisions of this document shall pertain to offenders under departmental jurisdiction. Sex offenders are to be identified, treated, managed and supervised in accordance with policies and procedures outlined within this policy.

Sex offenders under community supervision shall be managed, supervised and monitored based on assessed risk to community safety. Offenders managed as sex offenders due to a current or prior conviction, a finding of sexual motivation by a court, or by Override Panel decision shall be notified of that in writing, and shall be advised of the provisions of this policy.

Nothing in this IMPP is intended to alter or abrogate any provisions of Kansas statutory law relating to sexual predators or the registration of sex offenders.

A Sex Offender Override Panel is established to process and decide override requests presented pursuant to this IMPP. The Sex Offender Override Panel shall consist of: The three (3) KDOC deputy secretaries (or their designees); the chairperson of the Kansas Parole Board (or his/her designee); and a qualified and experienced clinician. The Sex Offender Override Panel shall meet on a regular basis as required to resolve override requests in a timely manner. The Director of Victim Services (or designee) shall attend panel meetings and give input for consideration in panel decisions. Each member of the Sex Offender Override Panel shall have one vote, and decisions shall be made by majority vote of the membership. The Deputy Secretary for Programs, Support and Research Services (or his/her designee) shall serve as chairperson of this panel.

### DEFINITIONS

Contact: Face to face or telephonic communication, written correspondence, physical touching, electronic/computer correspondence, or any indirect communication through another person(s).

Incidental Contact: Contact with minors or victims that occurs as you go about your daily life. It happens by chance and not with intent such as public transportation, hospital, emergency room, doctor's office, and certain community settings, such as stores, churches and libraries.

Limited-Contact Visitation: Visitation in a controlled environment that is directly observed by facility staff, and defined by a specified duration and number of times physical contact may occur during the visit. An embrace at the beginning and end of the visit and incidental contact during activities such as playing cards or board games would be appropriate, while all other sustained physical contact would be

prohibited. Contact with the minor such as stroking, holding hands, sitting on laps, or any other physical contact not articulated in this paragraph are not allowed in this category of visit. Provisions of IMPP 10-113 and facility General Orders apply.

Non-contact Visitation: Visitation which does not allow physical contact with minors. A physical barrier approved by the Warden between the sex offender and minor visitors is required. Access to this level of visitation is dependent on the physical layout and General Orders regulating visitation in each facility. Provisions of IMPP 10-113 and facility General Orders apply.

Nudity: The pictorial depiction where any male or female genitalia or female breasts are exposed. "Exposed" for purposes of IMPP 11-115, means that the genitalia or female breast can be seen.

Polygraph: An instrument that records certain physiological changes in a person undergoing questioning in an effort to ascertain truth or deception.

Sex Offender: A.) Convictions; An offender whose crime of conviction is a sex crime as identified by any state or federal statute, an offender with a prior conviction or juvenile adjudication of a sex crime, or a person who has ever been convicted of a crime that was sexually motivated. The sexual motivation of the offense is to be determined through a judicial finding made at the time of sentencing.

B.) Custodial Behavior; An offender who, while not having been convicted of a sex offense, has, while in the Department's custody, engaged in sexually motivated behavior prohibited by Department rules as established through Departmental disciplinary or administrative segregation proceedings. Designation as a "sex offender" due to custodial behavior substantiated by due process, i.e. disciplinary hearing, and subsequent override process.

C.) Excluded Convictions; Individuals with convictions under K.S.A. 21-3512, Prostitution, 21-3513, a) and (b)(1), Promoting Prostitution, and/or 21-3515, Patronizing a Prostitute, shall be exempt from the embrace of this definition unless the override process, set forth elsewhere in this document, determines them to be within its scope.

D.) Offender Previously Granted Full or Partial Override with Subsequent Prison Commitment with Non-Sex Offense; In cases such as this, the previously granted override shall remain in effect. If information or behavior warrants a change, a subsequent override request shall be submitted.

Sexually Explicit Materials: Possession or control of any material that describes or depicts human nudity, exploitation of children, consensual sex acts, non-consensual sex acts involving force or violence including but not limited to: computer programs, computer links, computer social networking sites, photographs, drawings, video/audio tapes, CDs/DVDs, flash drives, cell phones or any digital storage device containing photographs displaying nudity, magazines, books, literature, writings, or any other material deemed to be sexually stimulating as determined by the treatment provider/parole officer.

Sexually Motivated: "Sexually motivated" means that one of the purposes for which the offender committed the crime was for the purpose of the offender's sexual gratification. The sexual motivation of the offense is to be determined through a judicial finding made at the time of sentencing.

Supervised Contact: Any contact that requires a supervising agent to be present to see and hear the entire visit. It does not include overnight visits or lodging.

Supervising Agent: A responsible and designated adult, pre-approved by the offender's parole officer, who is aware of the sex offender's offense(s) and/or relevant sexual behaviors, understands how others can be victimized, displays knowledge of appropriate behaviors, and willingly accepts responsibility for supervising contact between an offender and another person or persons. Determination of a suitable supervising agent shall include an interview with the potential agent with parole and treatment staff. Information regarding appropriate behaviors expected during the supervised visits shall be made to the supervising agent and offender by the parole officer.

Victim: Any person who suffers direct or threatened physical, emotional or financial harm as the result of the commission or attempted commission of a crime against a person

Primary Victim - the person(s) directly impacted by the crime (i.e. the person who is sexually assaulted).

Secondary Victim/Co-Victim - the person(s) indirectly impacted by the crime. (i.e. the family, friends, neighbors, etc of the person who is sexually assaulted)

## **PROCEDURES**

### **I. Identification Of Sex Offenders**

#### **A. Facility**

1. Offenders meeting the definition of "sex offender" as contained in this policy shall be identified at the time of admission to the custody of the Kansas Department of Corrections through the reception and diagnostic process.
2. Offenders who do not meet the definition of "sex offender" as contained in this policy may nonetheless be considered a "sex offender", and thereby be subject to the provisions of this IMPP, pursuant to the override process based upon behavior which is substantiated by due process.
3. Offenders who meet the definition of "sex offender" as contained in this policy may be relieved from being managed as a sex offender, and thereby not be subject to the provisions of this IMPP, pursuant to the override process.
4. Sex offenders shall have the requirement for sex offender treatment placed on their Inmate Program Plan (IPP), unless that sex offender has been specifically excluded from the requirement for treatment pursuant to the override process. An offender not previously identified as being managed as a sex offender who is later identified by the override process as being managed as such shall also have their IPP modified to reflect the change. Any changes to the offender IPP shall be updated by the facility Classification Administrator where the offender is housed.
5. Sex offenders shall have sex offender treatment programming as is appropriate to their particular needs made a part of their Inmate Program Plan while incarcerated and be subject to all appropriate privilege and incentive procedures unless prevented by length of sentence. If an offender is determined to be clinically untreatable or unable to participate in treatment, an override shall be completed with final determination for treatment being made by the override committee.

#### **B. Community**

1. Offenders meeting the definition of "sex offender" as contained in this policy shall be identified and referred to programming related to their sexual offense or behavior as soon as possible after activation for supervision by Parole Services staff. If the offender is determined to be clinically untreatable or is unable to participate in treatment, an override shall be completed with final determination for treatment being made by the override committee.
2. Offenders who do not meet the definition of "sex offender" due to convictions as contained in this policy may be considered a "sex offender", as substantiated by due process and thereby be subject to the provisions of this IMPP.

3. Offenders who meet the definition of "sex offender" as contained in this policy may be relieved from being managed as a sex offender, and thereby not be subject to the provisions of this IMPP, pursuant to the override process.

C. Override Process

1. Offenders currently managed as sex offenders, with the assistance of appropriate KDOC staff, may submit a written request to make modifications in the method of management as a sex offender or to be excluded from management as a sex offender in whole or in part.
2. At any time, KDOC staff may initiate an override to require management as a sex offender due to sexually deviant custodial behavior as established by due process hearing, i.e. disciplinary hearing.
3. Wardens/Parole Directors, or their designees, shall ensure written override requests include at least the following:
  - a. Offender name;
  - b. Offender number;
  - c. Sex offense conviction, [The court journal entry documenting a sexually motivated offense or behavior that is the focus of the override request.]
  - d. Reasons for the request;
  - e. If SOTP is completed, a copy of the Discharge Summary; and,
  - f. Requests from offenders must consist of a letter to appropriate KDOC staff which details specifically the reason for the override including documentation which will support their petition.
4. The written request for override shall be reviewed and signed by the appropriate Warden, Parole Director, or designee prior to submission to Central Office.
  - a. All override requests initiated by offenders shall be in writing, and be processed and forwarded to Central Office within 30 days of receipt by the appropriate staff member for consideration by the Sex Offender Override Panel. Requests by offenders that are not decided within 60 days of submission (date on the offender's written request), shall receive a written update on the status from the Chairperson of the Override Panel, or the Director of Sex Offender Management.
  - b. Requests for override shall include appropriate comments of the person who completes the override packet and recommendations of the Warden or Parole Director.
  - c. Once reviewed by the appropriate approving authority, the packet is forwarded to the Deputy Secretary for Programs or Director of Sex Offender Management at Central Office.
5. Initial requests for a specific change in sex offender management status shall be forwarded to the Deputy Secretary for Programs at Central Office for processing. Each request for override shall be decided by the Sex Offender Override Panel by either approving or disapproving the request.
  - a. No additional requests for override shall be considered for an offender after a decision is made by the Sex Offender Override Panel, unless

there is a new incident of sexual misconduct involving that offender, or relevant information is discovered that was not reasonably available at the time the initial request for override was submitted.

- b. The Warden/Parole Director or Director of Sex Offender Management shall decide if new evidence warrants additional panel consideration. If an offender-initiated request does not contain new information, the decision-maker on that case shall advise the offender in writing that it shall not be considered by the Sex Offender Override Panel due to no new information.

D. Notification to Offenders Managed as Sex Offenders

1. Offenders shall be informed, both verbally and in writing, that they are managed as sex offenders per this policy. If the conviction requiring that management is not the current commitment offense, notification shall include the name of the conviction offense, the year and jurisdiction of the offense if in Kansas, or the state of conviction if not in the state of Kansas.
2. Offenders managed as Sex Offenders due to a finding by the Sex Offender Override Panel shall be notified in writing by letter originated by Central Office Programs Division and routed through the Warden/Parole Director.

**II. Release Planning For Sex Offenders**

- A. Release planning for sex offenders shall be in accordance with IMPP 14-103 and 11-117.
  1. Additionally, consideration shall be given to the following:
    - a. Results of the Static 99;
    - b. Axis I and II diagnoses;
    - c. The MDT rating;
    - d. Treatment recommendations and/or SOTP discharge summary; and/or
    - e. Results of assessments;
    - f. Recommendations for contact with minors in general, the offender's children/immediate family members or other potential new victims;
    - g. Where there are potential victims, proximity of residence or work to playgrounds, schools, daycare centers, or other locations where children would be expected to congregate;
    - h. Proximity to the offender's victim(s) or victim's family members;
    - i. Proximity to sex offender treatment resources; and,
    - j. Availability of transportation for the offender.
  2. Plan disapprovals based solely on proximity issues should be justified with a rationale that is specific to the inmate's history and the neighborhood's physical layout.
    - a. Such disapprovals shall contain recommendations for acceptable alternatives that would be suitable for inclusion within the particular offender's release plan.

### **III. Community Intake And Supervision Procedures**

- A. Intake procedures shall be in accordance with IMPP 14-104 and 14-110 with additional considerations as follows:
  - 1. The offender shall be provided with a copy of the Sex Offender Supervision Handbook.
    - a. Information contained in the handbook shall be reviewed with the offender, emphasizing requirements in accordance with their individual case management needs.
    - b. After being presented with the Handbook and explanation, the sex offender shall sign the Sex Offender Handbook Acknowledgment.
      - (1) Staff witnessing the offender's signature shall sign and date it as well.
      - (2) A signed copy of the Sex Offender Supervision Handbook shall be placed in the offender file.
- B. Classification by the use of the LSI-R assessment shall take place pursuant to IMPP 14-111 and the LSI-R Instruction Manual.
- C. A Case Plan shall be completed in accordance with IMPP 14-113.
  - 1. The Offender Case Plan shall include treatment requirements as well as any other individualized goals and objectives, negotiated or mandated.
- D. When determining what interventions to utilize while supervising sex offenders in the community, in addition to assessment and classification information resulting from processes described at Sections III.B. and III.C. above, parole staff shall also consider recommendations from the treatment provider.

### **IV. Sex Offender Treatment And Aftercare**

- A. Except as set forth below, all sex offenders shall be referred to the KDOC contracted sex offender programming in the facility and the community.
  - 1. At any time, KDOC staff may submit a request that a sex offender be excused from the requirement to participate in sex offender programming.
  - 2. Such requests shall be in writing, submitted and determined pursuant to the override procedure set forth at Section I.C. above.
  - 3. Sex Offenders in the community that live in areas not served by contracted sex offender programming shall be allowed to attend other sex offender programming as approved by the Parole Director.
- B. Community-based programming for sex offenders shall require that the sex offenders attend scheduled sessions. The offender shall be responsible for payment of the treatment co-pay unless determined to be indigent pursuant to IMPP 14-107.
  - 1. Excusable absences from community based treatment shall be determined by the parole officer, supervisor and treatment provider.
  - 2. Community programming shall include random polygraph examinations, as discussed in Section VIII.

**V. Contact With Victims**

- A. Except as indicated below, sex offenders shall have no planned or voluntary, direct or indirect, contact with victims (including visitation).
- B. Consideration for contact with victims should only occur after the following events:
  - 1. The victim(s), or a minor victims' parents or guardians, seek such contact through the KDOC Victims' Services staff; and,
  - 2. A current sex offender programming provider recommendation does not preclude contact with one or more known victims.
  - 3. After reviewing the above information and recommendation from Unit Team staff, and after discussion with Victim Services staff and receiving affirmative input, the Deputy Warden of Programs or his/her designee may authorize contact with victims by inmates. Visitation by victims under the age of 18 years must be as directed in "Contact with Minors" below. Offenders on post-release shall comply with the condition precluding all victim contact unless partially or fully removed by recommendation of the Parole Officer and concurrence by the Parole Supervisor after receipt of affirmative information from Victim Services staff.

**VI. Limited Contact With Minors**

- A. For visitation in the controlled environment of a correctional facility visiting area, and other contact as defined by this policy, there shall be three (3) categories of offenders managed as sex offenders.
  - 1. Sex offenders who have successfully completed sex offender programming. The offenders' discharge summary shall address appropriate visitation with minor children in three ways:
    - a. "Contact with minor children is not prohibited." These offenders shall be allowed visitation in accordance with KDOC policy and facility visitation rules and general orders, and normal contact through mail, phone and other methods allowed by policy.
    - b. "Contact with minor children should be supervised only." These offenders should be allowed "limited contact" visits with minor children.
    - c. "Contact with minor children should be prohibited." These offenders shall not be allowed physical contact with minor children during visitation.
  - 2. Sex offenders who, during the treatment process, have been screened by, but have not completed facility-based Sex Offender Programming:
    - a. If the victim of the sex offense was an adult and the sex offender program provider has verified in writing that there are no substantiated reasons which indicate the offender poses an increased risk to minor children, the offender may have "limited contact" visits with minor children in accordance with KDOC policy, facility visitation rules and general orders.
    - b. If the victim of the offense was a child, (a family member or not) the offender shall have no contact or visitation with minors
  - 3. Untreated Sex Offenders that have not been screened:

- a. Untreated, unscreened sex offenders with adult sexual victims shall have only non-contact visits with minors.
  - b. Untreated, unscreened sex offenders with known child victims shall have no visitation with minors.
4. Sex Offenders with an Axis I diagnosis of exclusive pedophilia shall be prohibited from visits with minor children and from any non-incidental contact [as defined by this policy] with minors in general.
- B. Sex offenders' contact with minors outside the visitation process, including but not limited to mail, possession of their photos, phone, and third parties, shall be limited to the inmate's children or immediate family members (as defined by the Visitation policy). If the inmate's sexually deviant behavior triggering this policy included their children or minor immediate family members, no contact or possession of photos of minor children or minor immediate family members is allowed.
- C. Any contact with minors that is allowed in the community shall be conducted in accord with the procedures set forth in the Sex Offender Supervision Handbook.
1. Decisions on visitation of minors in the facility can be considered in management of those sex offenders in the community, but those facility decisions do not create a right for the same level of contact in the community; for instance, an offender is allowed visits by his minor children in the facility since it is a controlled setting, however is not allowed contact with his/her children in the community because it is not a controlled setting and the heightened possibility for abuse exists.
  2. Parole staff should consult community sex offender programming staff and the Parole Supervisor when considering authorized contact with minors in the community.
  3. Contact with known victims of the sex offender must be in accordance with Section V. (Contact with Victims).
- D. Offenders or KDOC staff may submit a request that visitation, contact or restrictions be modified for sex offenders outside of the above guidelines pursuant to the override process set forth in Section I.C. above.
1. Such requests shall be in writing, submitted and determined pursuant to the override procedure set forth at Section I.C. above.

## **VII. Travel**

- A. Prior to granting permission for a sex offender to travel, the parole officer shall obtain sufficient information to determine whether the travel is legitimate, necessary, and that proper supervision can be maintained.
1. Out of state travel permits for sex offenders shall be faxed to the Interstate Compact Unit at a minimum of one day in advance of the proposed travel date.

## **VIII. Polygraph Testing**

- A. All sex offender programming shall include appropriate polygraph testing as a component of the programming process.
- B. Facility-based Sex Offender Programming:

1. Instant Offense Polygraph: Sex offenders participating in sex offender treatment while incarcerated in a KDOC correctional facility shall participate in an instant offense polygraph examination if directed by treatment staff.
  2. Sexual History Disclosure Polygraph: Sex offenders participating in sex offender treatment while incarcerated in a KDOC correctional facility shall participate in a sexual history disclosure polygraph examination, unless medical reasons exist for not conducting such examination.
  3. Purpose of Polygraph Testing: All polygraph testing and the results of that testing shall be used solely for treatment purposes.
- C. Community-based Sex Offender Programming:
1. Maintenance Polygraphs: All sex offenders who are participating in community-based sex offender programming shall participate in maintenance polygraph testing as directed by parole staff and recommended by programming staff.
  2. Purpose of Maintenance Polygraph: Under no circumstances shall an offender be subject to revocation proceedings based solely on a deception indicated polygraph examination result. Interventions may be imposed as needed in response to pre and post-polygraph condition violation admissions.

**IX. Materials To Which Sex Offenders May Not Have Access**

- A. Sex offenders shall not be allowed to own, borrow, view, transport or manufacture any sexually explicit materials.
- B. Other materials may be added to or removed from the above list on an individual basis after consultation with a treatment provider.
- C. Sex offenders shall not be allowed to use televisions, VCR's, DVD players and recorders, personal computers or other Internet accessible devices for the purpose of viewing, copying, or transmitting sexually explicit or erotic material. Sex offenders shall not access any social networking sites. Such sites include but are not limited to MySpace and Facebook. Sex offenders also shall not access "chat rooms", "bulletin boards" or other Internet correspondence tools for the purpose of accessing sexually explicit material or contacting any person for purposes of sexual gratification.
- D. The provisions of Sections IX. A. through C. above do not apply to any sex offender who has been relieved from being managed as a sex offender, in whole or in specific regard to this policy regarding materials, pursuant to the override process set forth in Section I.C. above.
- E. The Sex Predator Commitment Act Administrator shall be notified when prohibited materials are collected from sex offenders while on supervised release. These materials may be used for prosecution evidence in civil commitment proceedings initiated under the Sex Predator Commitment Act. Such materials not utilized in court proceedings shall be disposed of at the discretion of the Sex Predator Commitment Act Administrator.
- F. Possession of prohibited materials by an inmate shall be considered a violation of provisions cited in KAR 44-12-313, Sexually Explicit Materials
  1. If possession of non-publication material results in a Disciplinary Report, a copy of the material shall be retained with that Disciplinary Report.

**NOTE:** The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities that are contractually bound to adhere to them. They are not

intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

### **REPORTS REQUIRED**

None.

### **REFERENCES**

KSA 22-4901, et seq.; KSA 59-29a01, et seq.  
KAR 44-12-901[a][4]; 44-7-104  
IMPP 11-116; 11-117; 14-103; 14-104; 14-110; 14-111; 14-113

### **ATTACHMENTS**

Attachment A –Sex Offender Override Form – 2 pages  
Attachment B – Sex Offender Handbook – 8 pages

## SEX OFFENDER OVERRIDE FORM

KDOC Staff Initiated                       KPB Initiated                       Offender Initiated

Offender Name: \_\_\_\_\_ Offender

Number: \_\_\_\_\_

KDOC Facility/Parole Office: \_\_\_\_\_

Sex Offense Conviction/Disciplinary Behavior:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**THIS IS A REQUEST FOR:**

\_\_\_\_ Managing offender as a sex offender for KDOC purposes who is not already classified as a sex offender by KDOC policy.

\_\_\_\_ Relieving offender identified as a sex offender per KDOC policy of being managed as a sex offender.

\_\_\_\_ Relieving offender already identified as a sex offender per KDOC policy regarding:

- Contact visits with minors (facility)
- Unsupervised contact with minors (post release)
- Supervised contact with minors (post release)

**Name, Age (DOB), and Relationship of Minor to Offender:**

\_\_\_\_\_

\_\_\_\_\_

Participation in Sex Offender Treatment Program

Other:

\_\_\_\_\_

**Other Information Relevant to this Request:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
**Unit Team/PO Name**

\_\_\_\_\_  
**Date**

**Warden/Regional Parole Director recommendations:**

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**Approve**       **Disapprove**

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**Signature of Warden/Regional Parole Director**

**Date**

**Sex Offender Override Committee Decision**

{ } Approve { } Disapprove

Comments:

Signature\_\_\_\_\_

## KANSAS DEPARTMENT OF CORRECTIONS



## SEX OFFENDER SUPERVISION HANDBOOK

***A SAFER KANSAS THROUGH EFFECTIVE CORRECTIONAL SERVICES***

### **MISSION**

The Department of Corrections, as part of the Criminal Justice System, contributes to public safety and supports victims of crime by exercising safe and effective control of inmates, by exercising safe and effective containment and supervision of inmates, by managing offenders in the community, and by actively encouraging and assisting offenders to become law-abiding citizens.

## DIVISION OF PAROLE SERVICES

# SEX OFFENDER SUPERVISION HANDBOOK

## INTRODUCTION

This handbook is being provided to you so you shall be aware of the expectations/limitations of your activities while under the supervision of Parole Services. You shall be held accountable for the material in this handbook. If you do not understand any item in this handbook, you are expected to get clarification from your assigned parole officer.

The conditions sited in this manual are individualized to meet your specific circumstances. Any conditions sited in this handbook are in addition to those mandated by the releasing authority (i.e. Kansas Parole Board or Court of conviction).

### Definition of a Sex Offender

- An offender whose crime of conviction is a sex crime as identified by any state or federal statute, an offender with a prior conviction or juvenile adjudication of a sex crime, or a person who has ever been convicted of a crime that was sexually motivated as documented by the sentencing court. An offender whose institutional behavior is determined through the offender disciplinary process and the Override Panel to constitute sexually-motivated behavior. Sexually motivated means that one of the purposes for which the offender committed the crime was for the purpose of the offender's sexual gratification.

Special Conditions: Conditions that can be imposed by the courts, the parole board, or by your parole officer. From time to time, special conditions are also imposed based upon your case needs. You must comply with any special conditions as directed by your parole officer.

How this applies to you: While under supervision by Parole Services you shall comply with the following conditions in this handbook, as designated for your case:

1. **Applies** [  ] **Does not apply** [  ] / **P.O.** [  ] **Offender** [  ] you shall enter into and successfully complete an outpatient treatment and therapy program specifically related to your sexual offense. The following requirements apply in each case:
  - You shall be responsible for the payment of Sex Offender Treatment Services that are not covered by KDOC..
  - You shall be expected to participate fully in the treatment process and comply with treatment expectations. If you are unable to attend your scheduled treatment session your parole officer shall be notified in advance. Your parole officer will determine if your excuse is valid.

- You shall be subject to maintenance polygraph exams as directed by your assigned parole officer and/or programming provider at anytime during your supervision period.
- Absences for minor illness, transportation problems, or employment related reasons shall NOT be excused. For example, If you are ill but not hospitalized or excused by a physician, you are required to attend programming and the therapists shall excuse you if appropriate.

**2. Applies [ ] Does not apply [ ] / P.O. [ ] Offender [ ]**

If the Kansas Offender Registration Act is applicable, you must register with the local Sheriff's office within ten (10) days of arrival in any county you reside, are employed or attend school. Changes of any information found on your registration form must be done in writing to the local Sheriff's office within ten (10) days of the information change. You are also required to report to the Sheriff's Office every four months (your birth month and every four months thereafter) in person in every county where you are required to register. At this time you will be required to pay a fee, submit to a photograph and fingerprinting. You will also be required to fill out a complete Kansas Offender Registration Form and Acknowledgement. You are further required to report all changes in address in writing to the following address:

Crime Data Information Center  
Kansas Bureau of Investigation  
1620 S.W. Tyler  
Topeka, Kansas 66612-1837

**3. Applies [ ] Does not apply [ ] / P.O. [ ] Offender [ ]**

You are required to notify your employer of the following:

- Your current and prior (non-expunged) adult felony convictions,
- Any misdemeanor (non-expunged) sexual offense convictions,
- And, that you are on parole or post-release supervision.

Your assigned officer shall verify that you provided notification to your employer. You shall not be employed anywhere you could reasonably be expected to have contact with minors under the age of eighteen years, except under circumstances approved in advance by your assigned officer. All employment must be pre-approved by your assigned officer. Self-employment is not acceptable.

**4. Applies [ ] Does not apply [ ] / P.O. [ ] Offender [ ]**

Unless approved in advance by your assigned officer, you shall have no contact or attempted contact with a minor (anyone under the age of eighteen ) including your own children.

Contact is defined as face-to-face or telephonic communication, written correspondence, physical touching, or any indirect communication through another person or computer.

Incidental Contact is contact with minors which occurs as you go about your daily life. It happens by chance and not with intent such as public transportation, hospital, emergency room, doctor's office, and certain community settings, such as stores, churches and libraries. If you have incidental contact with a minor, you should immediately remove yourself from the situation. Any incidental contact shall be reported to your parole officer and treatment provider.

- You shall neither reside with nor have overnight visits in the same residence with any person under the age of eighteen years, including your own children, unless approved in advance by your assigned officer.
- You shall not participate in any volunteer activity where you have contact with persons under the age of eighteen years except under circumstances approved in advance by your assigned officer.

At sometime during your supervision period, you may be allowed by a supervising agent to have supervised contact with specific minors. Your assigned officer and treatment provider shall be the individual(s) who may authorize such contacts. In order to be considered for such supervised contacts, you must submit a written request to your assigned officer specifying the nature of the contact, the reasons for the contact, where and when the proposed contact would take place, who the contact would be with, and a plan for the supervision of the contact by a supervising agent.

A supervising agent is a responsible adult who is aware of your offense and your sexual offending relapse cycle, understands how a child can be victimized, has no problem distinguishing right from wrong and shall willingly accept responsibility for supervising the contact. Disclosure of elements of your PMPC, Individualized Treatment Plan and Safety Plan to the proposed Supervising Agent may be required.

Supervised contact means that the supervising agent shall be present to see and hear the entire visit. Supervised contact does not include overnight visits or lodging.

Your assigned officer must approve a supervising agent before any supervised contact shall be considered.

5. **Applies [ ] Does not apply [ ] / P.O. [ ] Offender [ ]**

You shall have no contact with your victim(s) or your 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 your assigned officer.

- You shall not willfully enter onto the premises, travel past or loiter near any location where your victim or victim's family members reside, work, attend school, or are known to regularly frequent. If unintentional contact occurs, it shall be reported to your parole officer on the next working day.

6. **Applies [ ] Does not apply [ ] / P.O. [ ] Offender [ ]** Unless

you have received the prior authorization of your assigned officer, you shall not be present at schools, parks, playgrounds, fairs, circuses, carnivals, video arcades, toy stores or other areas where children congregate.

7. **Applies** [  ] **Does not apply** [  ] / **P.O.** [  ] **Offender** [  ] Hitchhiking is prohibited.
8. **Applies** [  ] **Does not apply** [  ] / **P.O.** [  ] **Offender** [  ] You shall not reside with, enter into a romantic relationship with, or marry anyone who has minor children under the age of eighteen years without advance permission of your assigned officer. You shall inform your assigned officer of any new and/or existing current, close relationships in which you are involved. You shall inform those persons with whom you have a significant relationship or close affiliation of your sexual offense history.
9. **Applies** [  ] **Does not apply** [  ] / **P.O.** [  ] **Offender** [  ] You shall not own, borrow, view, transport or manufacture any sexually explicit or erotic materials. This includes possession or control of any material that describes or depicts human nudity, exploitation of children, consensual sex acts, non-consensual sex acts involving force or violence including but not limited to: computer programs, computer links, computer social networking sites, photographs, drawings, video/audio tapes, CDs/DVDs, flash drives, cell phones or any digital storage device containing photographs displaying nudity, magazines, books, literature, writings, or any other material deemed to be sexually stimulating. You shall not frequent X-rated movies, or possess sexual paraphernalia. You shall not enter any adult bookstores, adult movie theaters or retail establishments that specialize in distribution of sexually oriented materials. You shall not use any sex service. Under no circumstances shall you patronize prostitutes.
10. **Applies** [  ] **Does not apply** [  ] / **P.O.** [  ] **Offender** [  ] You shall not use any electronic device including but not limited to: computers, any Internet accessible device, any device used for viewing or storing images, television or VCR/DVD for the purpose of viewing, copying, or transmitting sexually explicit or erotic material. You shall not participate in any "chat rooms", bulletin boards, social networking sites (i.e. MySpace, Facebook, dating sites, UTube) or other Internet correspondence for the purpose of accessing sexually explicit or erotic material or contacting any person for purposes of sexual gratification. Your computer activity is subject to search and inspection by Parole Services staff at any time.
11. **Applies** [  ] **Does not apply** [  ] / **P.O.** [  ] **Offender** [  ]  
You are not allowed to possess items on your person or property that shall entice or attract minor children under the age of eighteen years. (i.e. children's books, toys, children's movies)
12. **Applies** [  ] **Does not apply** [  ] / **P.O.** [  ] **Offender** [  ]  
You shall not enter any establishments where alcohol is the major source of revenue. These include, but are not limited to; bars, clubs, lounges, taverns, liquor stores, juice bars and topless /exotic dance clubs.

## ACKNOWLEDGMENT OF STATEMENT OF UNDERSTANDING

I hereby acknowledge that I have been informed of all of the conditions of release specifically related to my sex offense. They have been explained to me and that I understand the requirements of supervision. I acknowledge receipt of a copy of the KDOC Sex Offender Supervision Handbook. I understand it is my responsibility to ask questions in the event clarification or further explanation is necessary.

Signed: \_\_\_\_\_  
(Offender)

Date: \_\_\_\_\_

Witnessed: \_\_\_\_\_  
(Officer)

Date: \_\_\_\_\_