

**439.3105 Administrative caseload supervision program for supervised offenders --
Administrative regulations.**

- (1) The department shall promulgate administrative regulations in accordance with the provisions of this section to establish an administrative caseload supervision program for supervised individuals whose results from a risk and needs assessment indicate that they are low-risk offenders.
- (2) The administrative caseload supervision program shall consist of monitoring supervised individuals to ensure that they have not engaged in new criminal activity and are fulfilling financial obligations to the court.
- (3) If a supervised individual on administrative caseload supervision:
 - (a) Does not fulfill his or her restitution or other financial obligations to the court, he or she may be placed on a higher level of supervision at the discretion of the department; or
 - (b) Engages in criminal activity, he or she may be prosecuted, revoked, or placed on a higher level of supervision; or
 - (c) Exhibits signs or symptoms of a substance abuse disorder, he or she may be assessed by the Administrative Office of the Courts drug court personnel for consideration of admission into drug court.
- (4) A supervised individual on a higher level of supervision who demonstrates a reduction in criminal risk factors upon reassessment and who has achieved the goals established in his or her case plan may be placed on administrative caseload supervision at the discretion of the department.
- (5) A supervised individual on a higher level of supervision shall presumptively be placed on administrative supervision if he or she has:
 - (a) Completed twelve (12) months of community supervision;
 - (b) Not violated the terms of his or her community supervision in the previous twelve (12) months;
 - (c) Fulfilled all restitution and other financial obligations to the court;
 - (d) Demonstrated a reduction in criminal risk factors upon reassessment; and
 - (e) Achieved the goals established in his or her case plan.
- (6) If the conditions or level of community supervision of a probationer are modified under this section, the probation and parole officer shall file a copy of the modified conditions or level with the sentencing court.
- (7) The department may establish by administrative regulation conditions for overriding presumptive administrative supervision.

Effective: June 8, 2011

History: Created 2011 Ky. Acts ch. 2, sec. 58, effective June 8, 2011.