

27A.097 Evidence-based practices to be used in supervision and intervention programs -- Standards -- Funding restrictions.

- (1) As used in this section, "evidence-based practices" means intervention programs and supervision policies, procedures, programs, and practices that scientific research demonstrates reduce instances of a defendant's failure to appear in court and criminal activity among defendants when implemented competently.
- (2) In order to increase the effectiveness of supervision and intervention programs funded by the state and provided to defendants, the Supreme Court shall require that a vendor or contractor providing supervision and intervention programs for adult criminal defendants use evidence-based practices.
- (3) The Supreme Court shall measure the effectiveness of supervision and intervention programs provided by vendors or contractors and demonstrate that the programs have a documented evidence base and have been evaluated for effectiveness in reducing a defendant's failure to appear in court and criminal activity.
- (4) The Supreme Court shall require, at a minimum, the following:
 - (a) A process for reviewing the objective criteria for evidence-based practices established by the vendor or contractor providing the program;
 - (b) A process for auditing the effectiveness of the program;
 - (c) An opportunity for programs that do not meet the criteria based on the audit results to improve performance; and
 - (d) A mechanism to defund any program provided by a vendor or contractor that does not meet the criteria upon a second audit.
- (5) Beginning July 1, 2012, twenty-five percent (25%) of state moneys expended on supervision and intervention programs for pretrial defendants shall be for programs that are in accordance with evidence-based practices. Beginning July 1, 2014, fifty percent (50%) of state moneys expended on supervision and intervention programs shall be for programs that are in accordance with evidence-based practices. Beginning July 1, 2016, and thereafter, seventy-five percent (75%) of state moneys expended on supervision and intervention programs shall be for programs that are in accordance with evidence-based practices.

Effective: July 1, 2013

History: Amended 2013 Ky. Acts ch. 69, sec 8, effective June 25, 2013.--Amended 2012 Ky. Acts ch. 156, sec. 11, effective July 12, 2012.--Created 2011 Ky. Acts ch. 2, sec. 49, effective July 1, 2013

Legislative Research Commission Note (7/1/2013). This statute was created by 2011 Ky. Acts ch. 2, sec. 49, effective July 1, 2013, and subsequently amended by 2012 Ky. Acts ch. 156, sec. 11, effective July 12, 2012, and 2013 Ky. Acts ch. 69, sec. 8, effective June 25, 2013. In accordance with KRS 446.320, the 2012 and 2013 amendments did not hasten the effective date of this statute because the General Assembly did not clearly indicate that such was its intention by a change in the effective date.