



INTERNAL MANAGEMENT POLICY & PROCEDURE

Applicability: ☒ Adult Operation Only ☐ JUVENILE Operations Only ☐ DEPARTMENT-WIDE

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FISCAL: Determination of Cash Gratuity Payments, Clothing, and Transportation Upon Release

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Approved By: , Secretary Next Scheduled Review: 11/2027

POLICY

With certain exceptions, a cash gratuity in the amount specified by statute and departmental regulation shall be paid to residents at the time of their initial release or subsequent release from a Kansas Department of Corrections facility or from a local detention facility where they have been held while serving a sentence under the technical custody of the Secretary of Corrections. The Department may assess a Stored Value Card Fee on resident trust fund and gratuity monies paid to a resident.

DEFINITIONS

Initial Release: The first time a resident is released on an active Kansas sentence.

Post-Incarceration Supervision: The supervision of offenders for any type of release from a KDOC facility, to include release to parole, conditional release, and post-release supervision.

Stored Value Card Fee: A fee assessed to releasing residents who received their resident trust fund and/or gratuity over an established limit on a stored value card.

Subsequent Release: The release of a resident on an active Kansas sentence to parole, conditional release, post release supervision or upon expiration of a sentence when the release follows a period of incarceration based solely upon violation of conditions of prior release.

PROCEDURES

I. Clothing

- A. Except as indicated in Section I.F., residents released through post-incarceration supervision or upon expiration of a sentence shall be provided with suitable civilian-type clothing.
 1. The cost of such clothing shall not be deducted from the amount of any cash gratuity issued to the resident.
 2. The State-issue clothing shall not bear markings, numbers, letters, words, or other information related to the KDOC or the facility that would identify him/her as a resident.
- B. Family and/or friends may supply dress out clothing for a resident, provided that the clothing meets minimum standards of appearance as established for those articles of clothing worn by visitors to the institution, per IMPP 10-113D.
- C. The clothing provided shall include the following items:
 1. One pair trousers;

2. One shirt;
 3. One pair of shoes;
 4. One set of underwear;
 5. One pair of socks;
 6. One belt, if desired; and
 7. A suitable jacket or coat when dictated by weather conditions.
- D. When possible, facilities shall use State contract purchases to provide release clothing for residents.
1. When purchase through contract vendors is not possible or practical, care shall be exercised not to exceed the State contract prices in local purchases of release clothing.
- E. Under no circumstances shall a resident be issued cash in lieu of the clothing provided in this section.
- F. Residents participating in a work release program shall not be eligible to receive State-issued clothing upon release from incarceration.

II. Transportation

- A. Except as indicated in Section II.E., the following transportation arrangements shall be provided for residents released on post-incarceration supervision who do not have transportation provided to them:
1. The resident shall be provided transportation to the resident's place of post-incarceration supervision; and
 2. The means of transportation shall be at the discretion of the warden.
 - a. Transportation costs shall be paid in one of the following manners, at the discretion of the warden:
 - (1) By a voucher arrangement with the transportation provider wherein a "no refund" travel ticket is issued to the resident upon the resident's presentation of the voucher;
 - (2) By a check for the amount of the ticket price made payable to the transportation provider and given to the resident; or
 - (3) By direct payment to the ticket provider by an agent of the releasing facility.
- B. The following transportation arrangements shall be provided for residents released upon expiration of maximum sentence:
1. The resident shall be provided transportation to the resident's home (if within the State).
 2. If the resident's home is out of State, transportation shall be provided to the place of conviction, or to some other place not more distant, as selected by the resident.
 3. The means of transportation shall be in the manner provided by Section II.A.2.
- C. Under no circumstances shall a resident be issued cash in lieu of the transportation provided in this section.

- D. The cost of transportation shall not be deducted from the amount of any cash gratuity issued to the resident.
- E. Should a resident elect to employ a mode of transportation other than that provided under II.A. or B. above, then:
 - 1. Any additional cost must be paid by the resident from his or her personal funds or be paid by a source other than State funds; and,
 - 2. All transportation tickets must be purchased in the manner set forth in Section II.A.2., above.
- F. Residents participating in work release and private industry employment programs shall not be eligible to receive State provided or paid for transportation upon release from incarceration.

III. Cash Gratuity

- A. Residents, at the time of their initial release on post-incarceration supervision or discharge upon expiration of the maximum sentence, shall receive a cash gratuity in the amount specified by statute.
- B. A resident shall be ineligible to receive the initial gratuity if:
 - 1. The resident's trust fund account balance is \$500 or more at the time of release, or if the account has been at that level at any time during the thirty (30) days preceding the resident's release;
 - a. The resident's previous account balance shall be verified by facility accounting staff through the KDOC automated inter-facility accounting or resident banking system.
 - 2. The resident is participating in a work release program;
 - 3. The resident is gainfully employed by a private business enterprise operating on the grounds of a correctional institution under K.S.A. 75-5288, or any other private business at which residents are allowed to be gainfully employed; or,
 - 4. The resident is released under the following circumstances:
 - a. Court order or through civil commitment proceedings;
 - b. Bond;
 - c. Escape;
 - d. Release during the initial 120-day evaluation period, for residents convicted of crimes committed prior to 07-01-93 only; or,
 - 5. Residents paroled or released to a detainer, including residents released to another jurisdiction pursuant to K.S.A. 59-29a01 *et seq.*, the Sexual Violent Predator Act, shall not be eligible to receive a cash gratuity payment, except as provided in section III.B.5.a. and b., as follows:
 - a. Residents paroled or released to a detainer who are subsequently released from that or any other detainer within 30 days of their release from a facility shall be eligible for cash gratuity payments in accordance with applicable policies.
 - (1) Residents released to detainees upon reaching discharge or their maximum sentence expiration shall be responsible for contacting the business manager of the releasing facility to request eligibility for gratuity.

- (2) Residents released to detainers out of state shall be responsible for contacting the Central Office Interstate Compact Unit to request eligibility for gratuity.
- b. Prior to making the gratuity payment to the resident, verification with the agency to which the resident was released shall be made by the supervising parole officer.
- C. At the time of a resident's subsequent release, he/she shall receive a gratuity payment of up to \$40 if:
 1. The resident's trust account balance is \$100 or less at the time of the resident's release; or,
 2. The resident is not engaged in any type of work release employment at the time of his/her subsequent release.
- D. Residents re-incarcerated on a parole revocation that is not upheld by the Prisoner Review Board are ineligible to receive a cash gratuity upon release.
- E. Residents released to the community from a pre-revocation program described within IMPP 14-122A shall be ineligible to receive a cash gratuity upon release.
- F. Estates of deceased residents shall not receive any gratuity.
- G. The total amount of all gratuity payments a resident may receive over the life of an active sentence shall not exceed \$220.
- H. Exceptions to these procedures shall only be authorized by the Deputy Secretary of Facility Management, and then only for good cause.

IV. This IMPP must serve as final policy in all departmental facilities, and no General Orders shall be developed or implemented on this subject.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff, residents 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, residents or offenders, or an independent duty owed by the Department of Corrections to employees, residents, 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

None.

REFERENCES

K.S.A. 59-29a01 et seq., 75-5288
IMPP 10-113D, 14-122A

HISTORY

03-02-15 Original
11-29-17 Revision 1
08-08-24 Revision 2

ATTACHMENTS

None.