

439.575 Prerelease probation of inmates program.

- (1) There is hereby created a program for prerelease probation of inmates confined in correctional facilities under the jurisdiction of or under contract to the Department of Corrections.
- (2) Any inmate who is in a prerelease program or eligible for a prerelease program as specified by administrative regulations of the Department of Corrections may apply to the sentencing court for prerelease probation.
- (3) The court, upon favorable recommendation of the Department of Corrections, may place the inmate on probation under those terms and conditions the court deems necessary, which may include but not need to be limited to those specified in KRS 533.030.
- (4) In particular, the court may require that an inmate placed on prerelease probation remain in a halfway house approved by the Department of Corrections and that the probationer pay the cost of his or her lodging in the halfway house and the costs of probation supervision in accordance with applicable statutes for probation supervision and persons granted work release from jail. Costs for lodging in a halfway house or other facility approved, but not operated, by the Department of Corrections shall be paid by the defendant directly to the halfway house or other facility at the rate specified by court order or by the Department of Corrections.
- (5) An inmate placed on prerelease probation shall no longer be considered as an inmate of the Department of Corrections but shall be considered as a defendant placed on probation, subject to supervision by the Division of Probation and Parole, or other agency approved by the court, and the orders of the court.
- (6) A person placed on prerelease probation by the court who violates the conditions of his or her probation may be dealt with by the court in the same manner as any other person who violates the conditions of probation.
- (7) The period of probation under this section shall not exceed the maximum expiration date of the inmate applying for the probation.

Effective: August 1, 2002

History: Amended 2002 Ky. Acts ch. 183, sec. 27, effective August 1, 2002. -- Created 1998 Ky. Acts ch. 606, sec. 119, effective July 15, 1998.