

Joint Committee on Administrative Rules

ADMINISTRATIVE CODE

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT

CHAPTER I: DEPARTMENT OF CORRECTIONS

SUBCHAPTER h: MISCELLANEOUS STANDARDS

PART 800 TRANSITIONAL HOUSING LICENSURE FOR SEX OFFENDERS ON PAROLE, PROBATION, OR SUPERVISION

SECTION 800.40 TRANSITIONAL HOUSING, TREATMENT, AND REFERRAL CRITERIA

Section 800.40 Transitional Housing, Treatment, and Referral Criteria

Applicants for a Transitional Housing license must:

- a) Have a facility that is located more than 500 feet from any school, facility providing programs or services exclusively directed toward persons under 18 years of age, or playground.
- b) Have a physical structure that provides for security measures, approved by the Department, 24 hours per day and seven days per week.
- c) Limit residential occupancy of the facility to individuals over the age of 18.
- d) Provide housing to sex offenders on parole, probation, or supervision for a period not to exceed 90 days, unless otherwise approved by the Director of the Department.
- e) Provide a structured environment for congregate living that shall offer regular scheduled group sessions that are held a minimum of three days per week; provide the opportunity, either in-house or through a referral system to outside providers, for sex offender treatment with SOMB certified providers; and monitor the movement of all sex offenders on parole, probation, or supervision by maintaining a system of signing in and out. This record shall be available for review at all times by the Department, its parole agents, county probation officers, local police departments, and other supervision entities.
- f) Establish a budget that specifies monthly operating expenses and demonstrates, within six months after licensure, sufficient income to meet these expenses plus emergency reserve by providing documentation of access to a minimum sum equivalent to the total of two months of operating expenses.

- g) Notify immediately the supervising authority of any sex offender resident, whether or not on electronic detention or monitor, who has left the facility without properly signing out or has overstayed his or her leave time, who has been involved in criminal activity at the location, or who has contact with a law enforcement agency at the facility; and, in cases of emergency, this notifying contact shall include the requirement of first contacting the appropriate local law enforcement agency responsible for handling the emergency.
- h) Submit treatment and counseling plans for each sex offender to the Director for review and approval.
- i) Have a written linkage agreement or agreements with SOMB certified providers to provide the opportunity of sex offender treatment to be paid for by the sex offender residents.
- j) Have a referral network to be utilized by sex offenders for necessary medical, mental health, substance abuse, and vocational or employment resources, and maintain any legally required confidentiality of identifying information.
- k) Have the ability for all sex offenders to be monitored electronically and allow access, by technicians maintaining the electronic monitoring equipment, to the premises as necessary.