

REFERENCE

Department of Corrections Policy/Rule #346/06-037 *Graduated Sanction Guidelines for Probation Violations*, Policy #371 *Offender Classification*, Administrative Directives, #371.05 *Offender Case Planning*, #371.07 *Offender Risk Assessments*, #371.09 *Designation of Listed Offenses*, 371.15 *Conditional Re-entry*, #371.16 *Graduated Sanctions*, #371.25 *Parole Reviews and Recommendations*, #413.06 *Response to Non-Compliant Behavior in the Community*, #426.01 *Offender Financial Obligations*, #428.01 *Term Probation Midpoint Review*.

Crime and Justice Institute <http://cjinstitute.org>; *Re-engineering probation towards greater public safety*, http://nicic.org/downloads/pdf/misc/ReEngineeringProb_ct1105.pdf.

DEFINITIONS

Case Management: DOC activities and programs related to offender case planning, community supervision, and custody. It is the collaborative process of classifying, assessing risk and needs, case planning, applying correctional resources and supporting an offender from detention to discharge.

Case Planning: The process by which case co-managers, working collaboratively with the offender and associated stakeholders, make decisions about activities designed to reduce criminogenic needs, promote responsibility-taking, repair harm, and support offender reintegration into the community.

Community Corrections Officer (CCO): A DOC staff person who supervises higher risk offenders in the community. CCOs perform risk management/risk control contacts, and evaluate and report any unusual behavior including rule infractions, violations of terms of release, lapses in the offender's Relapse Prevention Plan, and/or difficulties in adjusting to supervision in the community.

Community Support Group: A group of trained community members recognized by DOC that may assist in the support, supervision and rehabilitation of an offender. Staff, treatment providers and the offender, when possible, collaborate to identify this group.

Conditional Re-entry (CR): A furlough by which a sentenced offender is released to the community under supervision at or beyond their minimum release date.

Curfew: A risk control strategy that allows for field supervision of an offender by restricting them to their residence for a continuous period of time.

Direct Contact: Staff face-to-face contact with an offender where dialogue occurs, and the staff person reviews offender responsibilities, addresses progress and concerns, reinforces pro-social behavior and strengths and engages the offender in self-motivation.

Domestic Violence Offender: An individual who has been convicted of a domestic violence-related offense against an intimate partner, including violations of relief from abuse orders; or has been convicted of a crime in which the underlying nature of the offense has a domestic violence component.

Field Contact: An interaction between DOC staff and an offender or collateral person, happening outside the P&P office.

Furlough: A legal status for an offender under the custody of the Commissioner serving all or part of their incarcerative sentence in the community outside a correctional facility. This includes offenders on pre-approved furlough (PAF), conditional re-entry (CR), reintegration furlough (RF), treatment furlough (TF), and medical furlough (MF).

Home Detention (HD): A program of confinement and supervision that restricts a defendant to a pre-approved residence continuously, except for authorized absences, and is enforced by appropriate means of surveillance and electronic monitoring by the Department of Corrections.

Home Confinement (HC): A pre-approved furlough that restricts the offender to a pre-approved place of residence continuously, except for authorized absences, and is enforced by appropriate means of supervision, including electronic monitoring and other conditions.

Listed Offense: Criminal offenses described in 13 VSA § 5301 (7) characterized by a violent act or the attempt of a violent act toward persons, and those violent crimes that the Department of Corrections has determined meet the rationale that established the listed offenses in 13 VSA § 5301 (7).

Maintenance Status: A reduced level of supervision for domestic violence offenders and sex offenders who have completed all required program requirements and remain in compliance with all conditions of their supervision plan. Offenders at this level have developed strategies to either cope with or avoid risk, but still require supervision and intervention assistance from DOC staff.

Medical Furlough (MF): The transfer of an inmate who is diagnosed as suffering from a terminal or debilitating condition to a hospital, hospice, other licensed inpatient facility or other housing accommodation deemed suitable by the Commissioner or designee.

Parole: The release of an inmate to the community by the Parole Board before the end of the inmate's sentence, subject to conditions imposed by the Board, and subject to the supervision and control of the Commissioner of Corrections.

Probation: A form of community supervision where a suspended or deferred sentence is imposed by a court, under which an offender found guilty of a crime upon verdict or plea, is subject to conditions imposed by the court and placed under the supervision of the Commissioner of Corrections.

Probation and Parole Officer (PO): A DOC staff person in a local Probation and Parole office who is responsible for providing supervision of offenders in the community. POs also provide classification and offender case planning for offenders in the community, as well as case co-management and release planning of incarcerated offenders.

Reintegration Furlough (RF): A furlough prior to the minimum sentence to prepare an incarcerated inmate for re-entry into the community.

Relapse Prevention Plan: A plan designed to identify specific offender risk factors and best practice intervention strategies to reduce the frequency and intensity of episodes of these risk behaviors that have contributed to criminal behavior.

Response Supervision: The level of supervision given to offenders who score moderate or less on validated risk assessment instruments, after considering the offender's severity of offense. Response supervision does not include case planning services and focuses on compliance with probation and parole conditions, as well as referral to appropriate services as required.

Risk Assessment: The use of standardized assessment measures combined with professional discretion to describe in qualitative and quantitative terms the level of criminal risk posed by a given offender at a specific point-in-time. It considers (a) nature, extent, and seriousness of an offender's behavior; (b) the degree of threat presented to the community and/or victim; (c) the general dangerousness of an offender in different settings; and (d) the appropriate setting, intensity of intervention, and level of supervision needed.

Risk Factors for Standard Offender: These identify predictors of offense recidivism. There are two types of risk factors, static and dynamic; the greater the number and severity of the identified risk factors for offenders, the higher the risk of re-offense.

- **Static risk factors** are historical in nature and cannot change. They may include one or more of the following, but are not limited to, prior criminal offenses, severity of offense, escape history,

prior treatment failure, early age of onset of criminal behavior, childhood behavioral problems and anti-social personality disorders.

- **Dynamic risk factors** are behavioral and personality characteristics that can change over time and are potentially amenable to intervention. They may include one or more of the following, but are not limited to, criminally entitled attitudes, education level, financial situations, ineffective problem solving skills, substance abuse and negative social influences.

Risk Factors for Sex Offender: These identify predictors of offense recidivism. There are two types of risk factors, static and dynamic; the greater the number and severity of the identified risk factors of sex offenders, the higher the risk of re-offense.

- **Static risk factors** are historical in nature and cannot change. They may include one or more of the following, but are not limited to, prior criminal offenses, prior sex offenses, prior treatment failure, unrelated victims, stranger victims, early age of onset of criminal behavior, childhood behavior problems and anti-social personality disorder.
- **Dynamic risk factors** are behavioral and personality characteristics that can change over time and are potentially amenable to intervention. They may include one or more of the following, but are not limited to, sexual preferences to children, sexual preferences to violence, sexually and criminally entitled attitudes, access to potential victims, emotional loneliness, ineffective problem solving skills, substance abuse, collapse of social support system, and negative social influences.

Risk Control: The application of supervision techniques whose primary purpose is to prevent and/or prohibit criminal and non-compliant behavior. Risk control supervision incorporates external strategies such as alcohol monitoring, drug testing, the use of electronic monitoring equipment, community networking, as well as other strategies aimed at controlling an offender's behavior.

Risk Management Caseload Ratio: The statutory requirement that the offender-to-staff ratio for all listed offenders requiring risk management supervision shall not exceed 45 – 1. (28 V.S.A. § 105)

Risk Management Supervision: The level of supervision given to offenders convicted of listed offenses or those whose risk level is moderate high or greater on validated risk assessment instruments. Risk management supervision includes case planning and strategies to reduce the risk of re-offense.

Risk Reduction: The application of treatment and other programmatic responses supporting an offender's internal control, aimed at reducing the risk of re-offense.

Supervised Community Sentence (SCS): A court-imposed sentence of incarceration to be served in a community setting subject to the rules of the Commissioner of Corrections. These offenders are under the jurisdiction of the Parole Board.

Supervision: The application of risk control and risk reduction techniques aimed at reducing the offender's risk to re-offend.

Supervision Plan: A plan created by the PO that combines risk reduction and risk control strategies that will guide the PO in the supervision of an offender.

Supervision Team: A group of correctional professionals and treatment providers with specialized training in the supervision and treatment of offenders. Supervision teams may focus on substance abuse, violence, or other specialized caseloads based on offenders' current convictions and programming. Correctional professionals provide information about offenders at team meetings to help treatment providers make appropriate treatment decisions. Treatment providers provide information about offenders at team meetings to assist correctional professionals to make informed case plan and supervision decisions.

Sex Offender: A sex offender is anyone who has been convicted of a crime for which they must register with the Vermont Sex Offender Registry, or has been convicted of a crime in which the underlying nature of the offense has a sexual component.

Sex Offender Supervision Team: A group of correctional professionals and treatment providers with specialized training in the supervision and treatment of sex offenders. Correctional professionals provide information about sex offenders at team meetings to help treatment providers make appropriate treatment decisions. Treatment providers provide information about sex offenders at team meetings to assist correctional professionals to make informed case plan and supervision decisions.

Treatment Furlough (TF): The furlough of an inmate, with the approval of the sentencing judge, to a residential treatment program providing services to the general population not otherwise available in a correctional facility. The services may include treatment for substance abuse or any other condition that the Department has determined should be addressed in order to reduce the inmate's risk to re-offend or cause harm to themselves or to others in the facility. This furlough involves case co-management by the facility Caseworker and Probation Officer.

PROCEDURAL GUIDELINES

1. Risk Management Services

- a. Risk Management cases include at a minimum:
 - i. Risk assessments, both standard and specialized, as required;
 - ii. Case planning to address an offender's risk and required programming;
 - iii. Supervision Plans to address:
 - a) Level of supervision
 - b) Type and frequency of contacts
 - c) Use of risk control strategies, to include electronic monitoring and visits by Community Correctional Officers when appropriate
 - d) Utilization of collateral contacts; e.g., treatment providers, employers, family members, to enhance support and information sharing
 - e) Responses and strategies that address non-compliant behavior.
- b. Services will be defined and guided by the offender's level of risk and by the conditions set by the Court, the Parole Board and/or the Department.
- c. All contacts and communication regarding risk management supervision, treatment team decisions and supervision level adjustments must be documented in the DOC database.

2. Intake and Initial Offender Meeting

- a. Intake: Staff will follow local procedures on intakes for all risk management cases. District Managers will develop intake procedures that must include:
 - Intake process to be completed according to the following criteria:
 - Cases directly from court:
 - Sex Offenders/Domestic Violence Cases intake is done the same day as sentencing;
 - Other cases within five (5) business days from sentencing

- Offenders released from a facility will have their intake done on the same day as release;
- Staff explanation to the offender of the conditions of supervision;
- Offender acknowledgement and signature of conditions of supervision;
- Conviction and Violation Summary (CVS);
- Offender Information (ID/Face Sheet, Digital Photo, Record Check, etc.);
- Any other mandated Departmental process such as Financial Agreement, ADA, DNA, Sex Offender Registry, Grievance, etc.;
- Entering data into the electronic database for the above, if applicable.

b. Initial Meeting with assigned PO:

The initial meeting between the offender and the assigned PO will occur within ten (10) business days from intake. During the initial meeting, the assigned PO will do the following with the offender:

- i. Explain that the goal of supervision is to assist the offender in becoming a law-abiding citizen;
- ii. Explain the role of the PO which includes, but is not limited to, facilitating behavioral change (including referral to DOC or other community-based treatment programs and providers as needed), responding to non-compliance, and contacting partners, employers, and other collateral contacts;
- iii. Conduct all risk and needs assessments applicable for the offender, and review the results with the offender;
- iv. Focus on the criminogenic need areas identified during the assessment process;
- v. Set a tone of collaboration and support;
- vi. Collaborate with the offender on an appropriate treatment referral if needed;
- vii. Review the conditions of community supervision;
- viii. Start the development of the Offender Case Plan (OCP) with the offender; include any needed services along with the responsibilities and activities that the offender is expected to carry out.

3. Supervision Level Assignment

Probation Officers will assign a supervision level in accordance with the following *Risk Management Supervision Level Grid* for all risk management cases.

Exceptions:

- **Sex Offenders** - For offenders convicted of a sexual offense, POs will use the *Supervision Level for Sex Offender* grid (see b. below).
- **Domestic Violence Offenders** - All domestic violence offenders will be supervised no lower than Level 3. If a domestic violence offender falls in supervision Level 1 or 2 on the grid, they will be overridden to Level 3 unless they have been reviewed at the local level and approved for maintenance status supervision.

- a. **Standard Offenders:** A review of legal status, offense severity and risk places a risk management offender in one (1) of five (5) supervision levels. Supervision Level 5 uses the highest level of Department resource allocation, while Level 1 uses the least. Furlough includes Conditional Re-entry (CR), Reintegration Furlough (RF), Pre-Approved Furlough (PAF), Medical Furlough (MF) and Treatment Furlough (TF).

a. Standard Supervision Level Grid				
Status	Offense	Risk Level		
		Low LSI-R 0-19	Moderate LSI-R 20-30	High LSI-R 31+
Furlough (CR, RF, PAF, MF, and TF)	Listed	Level 3	Level 4	Level 5
	Non-listed	Level 2	Level 3	Level 4
Probation Parole/SCS	Listed	Level 2	Level 3	Level 4
	Non-listed	Level 1	Level 2	Level 3

NOTE: No domestic violence offender will be assigned lower than Level 3 unless in the maintenance status.

- b. **Sex Offenders:** For offenders convicted of a sexual offense, staff will follow the procedures below to determine supervision level. The supervision level is based on the sex offender’s dynamic and static risks.
 - i. At the initial meeting, the PO will assign the offender to Supervision Level 5.
 - ii. The offender will be assigned Supervision Level 5 for the first 90 days of supervision.
 - iii. After 90 days of supervision, the PO may adjust the sex offender supervision level by utilizing the *Sex Offender Supervision Level Grid*, based on the offender’s static and dynamic risk scores on the VASOR-2 and the Sex Offender Treatment Needs and Progress Scale (SOTIPS).
 - iv. For those sex offenders that are not eligible for the above risk assessment instruments (i.e., women, juveniles, statutory offenders, child pornographers), or are not in sex offender treatment, POs should staff the case with their Supervisor in assigning a supervision level.
 - v. Every six (6) months, the PO will review the sex offender’s updated SOTIPS scores and adjust the offender’s supervision level if needed.
 - vi. The PO, with approval from a Supervisor, may increase or decrease the level of supervision if risk factors not accounted for by the risk instruments become evident and substantially increase or decrease the offender’s risk to reoffend. Such overrides should be related to other risk assessments such as the LSI-R or the presence or absence of risk factors, such as increased victim access, collapse of social supports, substance abuse, and rejection of supervision. All overrides shall be documented in the DOC database.

- vii. Sex offenders on probation or parole will remain on Risk Management Supervision for the full period of their supervision.

b. Sex Offender Supervision Level Grid				
VASOR-2 Risk Scale		SOTIPS		
		Low	Moderate	High
		SOTIPS 0-10	SOTIPS 11-20	SOTIPS 21-48
Low	0 to 5	Level 2	Level 2	Level 3
Moderate Low	6 to 8	Level 2	Level 3	Level 4
Moderate High	9 to 11	Level 3	Level 4	Level 5
High	12 to 22	Level 4	Level 5	Level 5

c. Home Confinement

Supervision of Home Confinement cases will be in accordance with administrative directive #371.27 *Home Confinement Furlough*. The assigned PO/CCO will have one (1) direct offender contact weekly. Other contacts will be in response to notifications or discoveries of violations from electronic monitoring or when other information is discovered during the course of supervision.

d. Home Detention

- i. Supervision of Home Detention cases will be in accordance with the Department’s *Home Detention Interim Procedure*.
- ii. The District Manager will designate a supervisor who will be responsible for the Home Detention Program at their field site.
- iii. All defendants on Home Detention will be monitored by GPS or other location-monitoring devices. If there is a “no alcohol condition” as directed by the Court, then alcohol-monitoring devices will also be used.
- iv. Community Corrections Officers will be responsible for the day-to-day supervision of defendants on Home Detention. The CCOs are responsible for providing surveillance through the use of electronic monitoring.
- v. CCOs will perform a daily review of all electronic monitoring device reports and determine if the defendant is in compliance with their conditions. These activities will be documented in electronic case notes each day.
- vi. The Home Detention Program Supervisor is responsible for:
 - a) Any Court hearings that are required;
 - b) Approving any changes to the Court-approved schedule;
 - c) Ensuring a daily check of the defendant’s compliance with the electronic monitoring;
 - d) Approving any revocations of a defendant’s Home Detention status.
- vii. Field contacts will be in response to notifications or discoveries of violations from electronic monitoring, or when other information is discovered during the course of supervision.

4. Supervision Plans

As case managers, POs are responsible for the supervision plans of their risk management cases. Supervision plans must address the following: type and frequency of contacts, risk control strategies, risk reduction strategies, case review, termination from supervision, transfer to maintenance status or transfer to response supervision. The POs will coordinate with CCOs in the development and application of risk control strategies, to include contacts. The CCOs will assist the POs in meeting the objectives of the supervision plan for offenders assigned to them. Plans will be a blend of risk control and risk reduction strategies. Supervision plans will be documented in electronic case notes.

5. Contact Standards

There are two (2) contact requirement grids, one for all cases except sex offenders (see Standard Offenders) and one specific to sex offenders (see Sex Offenders).

a. Standard Offenders

The grid below outlines the minimum contact standards for the number of **offender direct contacts per month**. *Total* indicates the number of offender direct contacts. *Field* indicates the number of offender direct contacts in the field. The field contacts count toward the number of total contacts. POs should use their discretion and judgment as to the amount of contact the offender needs, but at the very least meet the minimum standard. In general, an offender direct contact should include the activities listed in contact activities in section 6.

a. Minimum Contact Requirements for Standard Offenders					
	Level 1	Level 2	Level 3	Level 4	Level 5
Total	1 per 2 months	1 per month	2 per month	3 per month	4 per month
Field	n/a	n/a	1 per 2 months	1 per month	2 per month

b. Sex Offenders

The following grid outlines the minimum contact standards for sex offenders. In general, a sex offender direct contact should include the activities listed in the contact activities in section 6. If the conditions of supervision allow, periodic residence checks for sex offenders are required.

b. Minimum Contact Requirements for Sex Offenders				
Requirement	Level 2	Level 3	Level 4	Level 5
Total Offender Direct	1 per month	2 per month	3 per month	4 per month
Offender Direct in the Field	n/a	1 per 2 months	2 per month	2 per month
Treatment Provider	1 per month if still in tx	1 per month if still in tx	1 per month if still in tx	1 per month
Collateral Contact	Quarterly	1 per month	1 per month	2 per month
Residence Check	Annually	Semi-annually	Semi-annually	Quarterly, to include contact w/ neighbor semi-annually
Reviewed by SO Team	Annually	Semi-annually	Semi-annually	Semi-annually
Polygraph Testing	As Needed	As Needed	As Needed	1x year for 2 years, then As Needed
Record Check	Annually	Annually	Annually	Annually

c. Maintenance Status for DV and Sex Offenders

Domestic violence and sex offenders on probation or parole will be on Risk Management Supervision. However, if any domestic violence or sex offender meets the criteria below, they may be placed on maintenance status, which allows reduced supervision and case planning services. A DV or sex offender on maintenance status will need to have one (1) offender direct contact per month. For sex offenders the annual residence check will continue. For an offender to be placed on maintenance status they must:

- i. Have completed all risk reduction programming and special conditions; and
- ii. Have been in compliance with supervision for at least one (1) year after completion of all risk reduction programming; and

- iii. Have been staffed and approved by the local DOC Domestic Violence or Sex Offender Supervision Team for continued supervision, rather than discharge.

6. Contact Activities

An offender direct contact is an opportunity for POs and CCOs to assist in motivating the offender toward change. Research indicates that it is the quality of the contacts, as opposed to the number of contacts, which reduces recidivism.

- a. The following activities should serve as the cornerstone of offender direct contacts by POs and CCOs:
 - i. Review the offender's progress on previously established case plan responsibilities, and, if necessary, help the offender make revisions;
 - ii. Discuss the offender's progress and involvement in any required programs or services;
 - iii. Discuss payment of restitution, child support, and supervision fees if applicable;
 - iv. Explore any problems or concerns that the offender is having or that have come to staff attention through other means, especially through collateral contacts;
 - v. Reinforce any offender strengths or protective factors that were identified during the assessment process;
 - vi. Identify and address any offender thinking errors or discrepancies;
 - vii. Reinforce offender pro-social behavior and statements with verbal recognition and encouragement;
 - viii. When necessary, set appropriate limits and provide clear direction to the offender;
 - ix. Explore the offender's ambivalence to positive change;
 - x. Elicit self-motivational statements from the offender;
 - xi. Use effective communication skills to include open-ended questions, reflections, affirmations, and summarizations;
 - xii. Address all Sex Offender Registry needs and requirements when speaking with sex offenders;
 - xiii. Conclude by summarizing and reinforcing any positive progress and behavior, and summarize any offender responsibilities that need to be completed before the next contact.

b. Types of Contacts

- i. Field Contact: An interaction with an offender or collateral person, which takes place outside the P&P office, by either a PO or CCO. Examples include an offender's residence, work site, or other field site, not to include jail or treatment site.

Field checks are **routinely to be used for supervision Levels 3, 4 and 5**, except for sex offenders who will continue to be subject to random field checks. However, a field contact may occur for any supervision level if a situation warrants it.

- ii. Collateral Contact: This is a direct or indirect contact between Department staff and individuals who know or are involved with the offender. These contacts may be risk control or risk management-focused and are intended to supplement the direct supervision of the offender and provide critical information about the offender's performance in the

community. Collateral contacts may include victim, partner, children, employer, landlord, police, neighbors, community support group, service providers, State's Attorney, etc.

- a) Except for sex offenders, it is at the PO's discretion as to the number of collateral contacts that are needed to supervise an offender, although there will be regular contact with the treatment provider, family members, community support group, and employers.
 - b) Sex offender collateral contacts for Level 2 through 5 require a specified minimum per month (see Grid on page 10.)
 - c) For *domestic violence offenders*, there should also be regular contact with the offender's partner, if applicable.
 - d) All collateral contacts will be documented in electronic case notes.
- iii. Sex Offender Residence Check:
- a) The frequency of residence checks is determined by the offender's level of risk.
 - b) Staff must document the check and all information in electronic case notes, to include all individuals living in the residence; i.e., name, age, and relationship to the offender.
 - c) Neighbors may also be contacted to obtain collateral information.
 - d) For sex offenders on supervision Level 5, this check is to include contact with a close neighbor to obtain collateral information on the offender's behavior. If there is more than one close neighbor, staff should alternate checks, or randomly check with other neighbors.

7. Risk Control Strategies

The Department will use risk control strategies consistent with the offender's risk of re-offense, offense severity and legal status. Risk control strategies are used to lessen the likelihood of negative behavior and to support positive offender behavior. If an offender is displaying risky behaviors, indicating anti-social attitudes or beliefs, or other indicators such as lack of stability or stress, the PO will increase the use and intensity of risk control strategies. If the offender is displaying pro-social behavior and is in compliance with supervision, the intensity of risk control strategies should decrease.

The application of risk control strategies will be commensurate with the offender's supervision level, as well as offender progress and behavior during supervision. The PO will use professional judgment and discretion when applying risk control strategies. Risk control strategies should also take into consideration the person(s) to whom, or profile for which, the offender poses a direct risk.

- a. Utilization of Community Correctional Officers (CCOs): CCOs will assist POs in the supervision of offenders assigned to Supervision Levels 3, 4, and 5 (see *Supervision Level Grids*). They will be assigned to supervision teams when possible, and will work with the PO to identify risk and compliance of the offender. At a minimum, supervision team notes will be provided to the CCO by the supervision team supervisor in order for the CCO to understand current risks and issues of the offender. The CCO will assist in the role of positive offender change by developing a relationship with the offender that allows for collaboration and support while maintaining expectations for offender accountability and professional boundaries, and to develop an atmosphere that will support positive pro-social change.

- b. Electronic Monitoring (EM): May be used with probation, parole, or furlough conditions to:
 - i. Supplement supervision;
 - ii. Support the release of an offender;
 - iii. Provide supervision for Home Confinement and Home Detention; or
 - iv. Respond to non-compliant behavior.

Designated CCOs will review all cases on EM to ensure compliance with EM and supervision conditions, and will document in electronic case notes all such reviews and compliance issues.

- c. Use of Schedules for Furloughees: Schedules for offenders on furlough will be in accordance with criteria established in Supervision Level Grids. In addition, furloughees may also be placed on a schedule as a response to violation of conditions. Schedule requirements will be time-limited.
 - i. Level 4 and 5
 - a) During the first thirty (30) days of furlough, the PO will place the offender on a schedule outlining where they will be for each 24-hour period. Adherence to this schedule will be monitored by CCOs and may be enhanced by the use of electronic monitoring. Offenders on Reintegration Furlough status may be monitored by the use of electronic monitoring during this time period.
 - b) After the offender's first thirty (30) days on furlough, the PO will conduct a schedule re-evaluation, reviewing offender treatment participation, adherence to the schedule, victim and community issues, and all documentation of collateral contacts to include family members for domestic violence cases, in order to assess whether to maintain the offender on a schedule, put them on a curfew, or continue the use of electronic monitoring.
 - c) If staff has any concern about treatment participation, victim and community issues or rule compliance, the offender will continue on a schedule, which will be reviewed for continuance every thirty (30) days. If there are no concerns, the furloughee will be placed on a curfew, which will be monitored by CCOs, with possible electronic monitoring, if appropriate.
 - d) All decisions regarding continuance on a schedule must be approved by a Supervisor and documented in electronic case notes by the supervising PO.
 - ii. Level 3
 - a) During the first thirty (30) days of furlough, the PO will place the offender on a schedule outlining where they will be for each 24-hour period.
 - b) At the end of the 30-day period if there are no violations of furlough conditions, the offender will be moved to curfew only. Any decision to continue the schedule must be approved by a Supervisor and documented in electronic case notes by the supervising PO.
 - iii. Level 2

Level 2 offenders will *not* initially be placed on a schedule. They will, however, have a curfew. A schedule may be required only in response to violation behavior.

- d. Other Risk Control Strategies: In accordance with conditions set by the Court, the Parole Board, and/or the Department, other risk control techniques may include, but are not limited to:
- Increased Contacts
 - Alcohol and Drug Testing
 - Curfew Restrictions
 - Modification of Conditions
 - Restriction of Associates
 - Restriction of Locations
 - Electronic Monitoring.

8. Risk Reduction Strategies

a. Case Plans

Case plans and supervision plans will be developed according to the conditions set by the Court, Parole Board or the Department. Probation Officers may request modification of probation or parole conditions, if necessary, and as reasonably related to the offender's rehabilitation as necessary to reduce risk to the public. Case plans will be completed on every Risk Management offender in accordance with administrative directive # 371.05 *Offender Case Planning*.

b. Risk Reduction Treatment and Programming

Offenders will be assigned to treatment and programming based on the offender's offense, need, risk, or as directed by the Court, Parole Board, or Departmental policy.

c. Community Support Groups

Probation Officers may work with offenders assigned to Supervision Level 3, 4 or 5 to develop community support groups. Whenever a support group has been identified, the PO will work collaboratively with them to provide support and accountability in the supervision of the offender. If necessary, field staff will help train the members to assist in changing the offender's behavior and attitudes.

d. Referrals for Community Services

Probation Officers will provide referral to, and coordinate and follow-up with, community services, as available, based on offender need and/or requirements of probation or parole agreements.

9. Case Review and Movement

- a. POs will actively review risk management cases to ensure that the supervision plans and case plans are commensurate with the offender's compliance, treatment progress, behavior and motivation to change, and adjust supervision accordingly.
- b. There are three (3) ways for an offender's supervision level to change:
- i. When a furlougher is granted parole;

- ii. When risk scores on risk assessments move an offender to a higher or lower level;
 - For *sex offenders* who do not fit the criteria for utilization of the risk instruments, the PO may use their professional judgment in consultation with their Supervisor to adjust the offender's supervision level.
- iii. When a Supervision Team recommends an increase or a reduction in the supervision level.

10. Completion of Risk Management Supervision

- a. Furlough: All furlough status offenders will be under Risk Management Supervision for the duration that they are on furlough. Furlough offenders will be considered for parole when eligible.
- b. Home Detention: All offenders supervised on Home Detention will be under Risk Management Supervision during the duration that they are on Home Detention Status.
- c. Supervised Community Sentence (SCS): All SCS status offenders will be under Risk Management Supervision for the duration that they are on SCS. SCS offenders will be considered for parole or discharge when eligible.
- d. Parole: Parole cases will be under Risk Management until they "max-out" their sentence or are transferred to response supervision (see section 10.f.)
- e. Probation:
 - i. *Term Probation (Non-sex offense)*: The PO will review the record of each Risk Management probationer serving a specified term during the month prior to the midpoint of that probationer's specified term. The PO will make recommendations in accordance with administrative directive #428.01 *Term Probation Midpoint Review*. If the case is not discharged as part of midpoint review, the PO may submit a request for discharge at a later date once the offender has met all of the probation conditions.
 - ii. *Deferred Sentence Probation (Non-sex offense)*: The PO will review the record of each probationer serving a deferred probation sentence during the month prior to the midpoint of that probationer's specified term. The PO will make recommendations in accordance with administrative directive #428.01 *Term Probation Midpoint Review*. If the case is not discharged as part of midpoint review, the PO may submit a request for discharge at a later date once the offender has met all of the probation conditions.
 - iii. *Indefinite Probation (Non-sex offense, further order of the Court)*:
 - a) Non-listed Offenders: The Department may recommend discharge from probation for offenders serving a non-listed offense when the probationer:
 - i.) Has successfully completed all conditions of probation; and
 - ii.) Has completed at least six (6) months on supervision.
 - b) Listed Offenders (Non-sex offense, further order of the Court): The Department may recommend discharge from probation for offenders convicted of a listed offense (except sex offenses) when the probationer has fulfilled all of the following:
 - i.) Has successfully completed all standard and special conditions of probation; and
 - ii.) Has not exhibited risk-related behavior during the last six (6) months; and
 - iii.) Has received approval from the District Manager or designee; and

- iv.) Has completed at least two (2) years on supervision for felony offenses and one (1) year on supervision for misdemeanor offenses.

iv. *Probation Sex Offenders (further order of the Court)*: The Department will not recommend discharge from probation for offenders on supervision for a sex offense. If a PO is before the Court on a motion filed by the offender regarding discharge, the PO will answer questions directed to them, but will not recommend a discharge from probation.

f. Transferring to Response Supervision

i. Parole

Domestic violence and sex offender cases will remain in Risk Management Supervision during their supervision period unless approved by the Director of Community Corrections, Re-entry and Classification.

Other Parole cases may be transferred from Risk Management Supervision to Response Supervision if they meet the following criteria:

- a) **Listed Offense**: If the parolee is convicted of a listed offense, they are eligible for transfer to Response Supervision one (1) year after completion of required programming. In addition, the offender must be in compliance with their case plan and conditions of supervision while on parole for one (1) year.
- b) **Non-listed Offense**: If the parolee is convicted of a non-listed offense, they are eligible for transfer to Response Supervision after six (6) months of compliance with their case plan and conditions of supervision while on parole, and when they have completed programming as required by the Parole Board.

ii. Probation

If the Court chooses not to discharge a probationer recommended by the Department, the probationer's Risk Management case may be transferred to Response Supervision. The exceptions are sex offenses or domestic violence cases. Sex and domestic violence offenders will remain on Risk Management Supervision during their supervision period unless approved by the Director of Community Corrections, Re-entry and Classification.

11. Staff Responsibilities

- a. District Manager: It is the responsibility of the District Manager to properly allocate resources to ensure their staff meets the operational requirements of this directive, and to ensure compliance with statutory risk management caseload ratios. It is also their responsibility to review and evaluate staff supervision decisions, and to ensure that those decisions are documented and tracked.
- b. Correctional Program Supervisor (CPS): It is the responsibility of the Program Supervisor to review accuracy of assignment levels, contact standards, and case management strategies of POs and CCOs assigned to them. They will meet regularly with POs and CCOs to discuss problem cases, supervision team decisions, and overall case management. The CPS will ensure that POs and CCOs are in compliance with this directive, as well as auditing 10% of the cases monthly. They will also ensure compliance with risk management caseload ratios.

- c. Probation/Parole Officer: It is the responsibility of the PO as case manager to develop supervision plans to achieve contact standards, risk control strategies and risk reduction strategies in accordance with this directive. They are responsible for applying supervision strategies that are commensurate with the supervision level and risk/needs of the offenders they supervise. It is also their responsibility to develop a relationship with the offender that allows for collaboration and support, while maintaining expectations for offender accountability and professional boundaries, and to develop an atmosphere that will support change for the offender. POs will also develop strategies and collaborate with CCOs around case management of the offenders on their caseload.
- d. Community Correctional Officer: It is the responsibility of the CCO to assist the PO in the management and supervision of offenders. They will provide information to and receive information from the POs regarding the offenders they supervise. It is also their responsibility to develop a relationship with offenders that allows for collaboration and support while maintaining expectations for offender accountability and professional boundaries, and to develop an atmosphere that will support change for the offender.

TRAINING

1. It is the responsibility of the Director of Community Corrections, Re-entry and Classification/designee, in collaboration with the Director of Human Resources Development, Field Operations Manager and the District Managers, to ensure that all relevant staff are trained in this directive.
2. The District Managers will ensure that 1) all staff understands their responsibilities and expectations; and 2) that they train POs, CCOs and other relevant staff on the procedures, timelines and appropriate database entry for which they are responsible.
3. Local Managers will be responsible to train new staff after the initial training.
4. It is the responsibility of the Director of Community Corrections, Re-entry, and Classification and the Director of Human Resources Development to develop and deliver a training curriculum on evidence-based practices, casework, and case management strategies, and core correctional competencies. These trainings will be delivered by departmental staff as well as from experts from outside of the Department. This will include trainings at the Vermont Corrections Institute, on-site trainings and trainings at the Correctional Academy, as well as online training.

QUALITY ASSURANCE

1. All District Managers are responsible for compliance with policy, directive and procedures regarding the supervision of offenders in the community.
2. The CPS will submit the completed *Risk Management Monthly Audit Form* (Attachment 1) to the District Manager by the 15th of the next month.
3. The District Manager will forward the results of the monthly audits to the Field Compliance Monitor by the 20th of each month.
4. All District Managers will develop local procedures as needed, and allocate resources to include the use of CCOs and electronic monitoring equipment, if available, to allow for successful implementation of this directive.

RISK MANAGEMENT MONTHLY AUDIT FORM

PO: _____ **Field Office:** _____ **Reviewer:** _____
Date Reviewed: _____ **Review Month:** _____
Offender: _____ **DOB:** _____ **PID #:** _____

Y/N/NA

1. Offender Case Plan is complete.
2. DNA is collected and entered in database if applicable.
3. Risk assessments are current.
4. Offender is assigned to correct supervision level.
5. Correct legal status designation is in PROBER.
6. Address and contact information is current and accurate.
7. Treatment status is verified.
8. Contact standards are being met in accordance with directive.
9. Case note entry is in compliance with confidentiality statutes, rules and directives, including HIPAA.
10. Victim information is updated and current in the VANS system.

Sex Offender Cases:

Y/N/NA

1. Registry paperwork is current with DOC and VCIC.
2. Sex offender risk assessments are current.
LSI-R
Static-99R
VASOR-2
SOTIPS (every 6 months)
3. Address is current and accurate with DOC and VCIC.

Corrective actions needed to ensure compliance with directive?

Additional documentation reviewed:

Comments: