
 <p><b>Corrections and Community Supervision</b></p> <p><b>DIRECTIVE</b></p>	<p>TITLE</p> <p><b>Temporary Release Programs and Community Supervision</b></p>		<p>NO. 9020</p>
			<p>DATE 1/17/2017</p>
<p>SUPERSEDES DOP Manual Item 8255.00</p>	<p>DISTRIBUTION A</p>	<p>PAGES PAGE 1 OF 5</p>	<p>DATE LAST REVISED</p>
<p>REFERENCES (Include but are not limited to) Dir. #9218; Dir. #7001; DOP Manual Item 8505.00</p>	<p>APPROVING AUTHORITY</p> 		

- I. **PURPOSE:** To provide general guidelines to Department of Corrections and Community Supervision (DOCCS) Parole Officers assigned to supervise Temporary Release Program (TRP) participants. The guidelines specified in this directive shall be applied based on the geographic location of the supervised participant and associated reporting requirements.
- II. **POLICY:** Parole Officers will supervise approved participants (inmates) on Temporary Release to provide for community protection, rehabilitation, and reintegration. Parole Officers assigned to supervise participants may be required to serve on the Temporary Release Committee (TRC) in order to assist in determining suitability and to assist and to intervene in response to changes in status.
- III. **DEFINITIONS**
  - A. Temporary Release Programs (TRP): Programs under which eligible and approved inmates (participants) are granted the privilege of leaving correctional facilities to participate in work release, day reporting, furloughs, furloughs involving alcohol and substance abuse treatment, educational release, industrial training leave, community service leave, and leave of absence.
  - B. Temporary Release Committee (TRC): A three (3) person panel comprised of DOCCS staff responsible for determining which inmates will be recommended for participation in Temporary Release. The TRC (panel) is also responsible for the ongoing evaluation of participants (inmates).
- IV. **PROCEDURE**
  - A. Temporary Release Committee: The Senior Parole Officer (SPO) or the Parole Officer (PO) may be required to participate in the regularly scheduled TRC meetings at the correctional facilities.
  - B. Temporary Release Facility Orientation: The PO may be required to participate in the Temporary Release Program facility orientation process to present community supervision regulations, rules, goals, and expectations to participants (inmates).
  - C. Temporary Release Supervision
    1. Field Parole Officer (PO) Responsibility
      - a. The PO will conduct an investigation to determine the suitability of a proposed furlough residence. The PO will complete the investigation within two (2) weeks of assignment and will submit a report to the facility indicating approval or disapproval of the proposed residence.

An out of area PO may receive a Temporary Release Program Residential Questionnaire (RQ) to verify residences for Industrial Training Leave (ITL) or Community Supervision Leave (CSL) inmates who may request a furlough to a residence outside of the area covered by the PO assigned to the inmate (participant). The PO who covers the area of the proposed furlough residence is requested to verify the residence and submit a response to the Temporary Release facility within two (2) weeks of receipt of the request. The out of area PO will receive notification when the ITL or CSL inmate is approved for a furlough to the approved address.

- b. If the residence is approved, the PO will conduct a minimum of one (1) positive home visit to the residence per month. All home visits are to be documented in the case record via a Case Management System (CMS) entry.
- c. If the Temporary Release inmate obtains employment, the PO will conduct an investigation to determine suitability. If deemed suitable, the PO will verify employment monthly via one (1) positive employment visit and will review employee payroll records and/or paystubs during each office visit. If the employment is deemed unsuitable, the PO will notify the facility Temporary Release Supervising Offender Rehabilitation Coordinator (SORC) or the Assistant Deputy Superintendent of Program Services (ADSP).
- d. During each office visit, the PO will review the paystub and enter the gross earnings, net earnings, and deductions in the CMS record of the inmate.
- e. Verification of the inmate's employment status by at least one (1) positive employment visit per month, to the inmate's place of employment, must be completed by the PO. All employment visits and verifications must be documented in the CMS record of the inmate.
- f. In addition to the employment and home visits, regularly scheduled office reports must occur to monitor compliance and the progress of the inmate. Two (2) monthly office reports will be scheduled by the PO.
- g. The PO must communicate with the Offender Rehabilitation Coordinator (ORC) on a regular basis in an effort to monitor compliance and the progress of the inmate.
- h. For Temporary Release inmates who report to Community Supervision field bureaus, the PO is required to perform all mandatory and random drug and alcohol tests. The Watch Commander (WCO) or designated security staff shall inform the PO via email when a Temporary Release inmate (participant) has been identified by the KDTs drug testing system. The PO is to email the WCO with the results of the testing performed in the field setting and designated staff at the Work Release facility will enter the findings in KDTs. The PO may also test the Temporary Release participant randomly with the approval of the Superintendent or his or her designee.

- i. The PO is to submit all requests from the Temporary Release inmate for additional privileges and programmatic changes to the Work Release ORC or the Community Correction Center Assistant (CCCA) for review and approval by the TRC. Such requests may include, but are not limited to, travel outside the coverage area of the assigned PO, permission to drive an automobile, change of furlough address, employment location, and work hours, or a leave of absence for a death bed visit, funeral attendance, or hospitalization.
- j. The ORC (PO, if the subject is in day reporting status) shall schedule the Temporary Release inmate for an interview to complete the COMPAS Reentry assessment prior to a Parole Board interview or conditional release. A Case Plan is also required to be completed for discretionary cases.
- k. The ORC (PO, if the subject is in day reporting status) shall prepare the Parole Board Report for a scheduled Parole Board interview or a case review for the imposition of the conditions of release.
- l. The Community Supervision case folders shall remain at the assigned facility. If an inmate is in day reporting status, the Community Supervision case folder is to be kept on file at the assigned Community Supervision areas office.

**Note:** The PO will confirm and record in the case-specific record of the inmate that the employer is aware of the participant's Temporary Release status.

**Note:** The standards of supervision for a Temporary Release inmate (participant) require a minimum of four (4) positive contacts per month by the assigned PO.

2. Day Reporter (DR) Inmates

- a. Inmates (participants) on Day Reporter status, who report to an upstate Community Supervision bureau, must report weekly to the PO and must be scheduled for a monthly office report involving the PO, the Day Reporter, and the ORC. Attendance and/or participation by the ORC may be via telephone conference call or office visit.
- b. Day Reporter (DR) inmates are required to pay a \$10.00 weekly participation fee. DR participants who report to Community Supervision field bureaus are responsible for prepayment of a monthly amount by mailing the fee to the attention of the Business Office at the Temporary Release facility by the end of the month (for the following month's participation). The facility Business Office will forward the receipt for payment of the participation fee to the assigned PO for distribution to the DR.
- c. The PO assigned to supervise the DR is responsible for forwarding a complete copy of the DR's paystub to the ORC at the Temporary Release facility. The assigned PO is also responsible for entering the information in the CMS record of the DR in a timely manner and consistent with the pay schedule. The case-specific information entered in CMS must also include total hours worked, gross earnings, net earnings, tax deductions, and other deductions.

The PO will prepare and complete the Parole Board Report, COMPAS Assessment and Case Plan, and all other required documents for a scheduled appearance or case review before a panel of the Board of Parole for an inmate on DR status who reports to a Community Supervision field bureau. The PO is to submit all required documents to the Senior Parole Officer (SPO) for final review and approval. The Community Supervision case folder is to be forwarded to the attention of the ADSP or SORC at the Temporary Release facility at least one (1) month prior to the scheduled Parole Board appearance or case review.

D. Temporary Release Violations

1. Temporary Release Committee (TRC) Review (Misbehavior Report)

- a. The PO will enforce all rules governing the TRP and shall investigate any alleged violation. Where appropriate, the PO will prepare and submit a "Misbehavior Report," [Form #2171](#), to the Disciplinary Officer and to the ADSP/SORC/CCCA at the owning facility immediately after the incident and no later than the next business day that follows the incident date. It may be necessary for the PO to give the inmate a direct order to report to the Temporary Release facility. If an incident occurs during non-business hours or on a holiday, the PO or SPO must immediately notify the WCO at the Temporary Release facility by telephone call and confirmation email. If a parole release date is temporarily suspended, a rescission report is to be completed within ten (10) days of the action to suspend the parole date.
- b. When a Temporary Release inmate is suspected of a Temporary Release violation, the PO is to detain the inmate and immediately notify the ORC or CCCA at the Temporary Release facility. If the Temporary Release inmate is present at the Community Supervision field bureau, the PO must immediately contact the SPO or Bureau Chief (BC) and indicate the need to lodge the inmate at the local county correctional facility (jail). The BC or SPO must contact the WCO by telephone call and confirmation email. The WCO must notify the facility Inmate Records Coordinator (IRC), ORC, and CCCA.
- c. The Temporary Release facility will be responsible for the issuance of the warrant/detainer for the inmate to be held at the local county correctional facility (jail) until picked up by DOCCS Security Officers. The WCO is also responsible for notifying personnel at the county correctional facility (jail). A copy of the warrant/detainer is to be provided to the assigned PO. The inmate will be picked up at the local (county) jail by DOCCS Security Officers and transported to a designated state facility.

2. Absconders

- a. When a PO suspects that a Temporary Release inmate has absconded, the PO must immediately notify the WCO, ADSP, and SORC at the Temporary Release facility. If the inmate was required to report to a Community Supervision field bureau, the PO must immediately notify the BC and SPO. The BC or SPO is responsible for verifying that the WCO, ADSP, and SORC have been notified.

- b. If the Temporary Release inmate has been identified as an absconder, the PO, SPO, and BC shall comply with all protocols and procedures for Temporary Release Absconders as detailed in Directive #9218, "Absconder Search (Community Supervision)." Community Supervision staff shall comply with all procedural requirements related to notification, detainer issuance, document preparation, apprehension, and return.
3. New Arrest
  - a. If the Temporary Release inmate has been arrested in response to new criminal behavior, the PO is responsible for initiating and completing an investigation of the incident and reporting the facts of the criminal charges to the ADSP and SORC.
  - b. The PO will case conference the new information with the SPO or BC.
  - c. If the Temporary Release inmate is the subject of new criminal behavior and has been identified as an absconder, the PO, SPO, and BC shall comply with all protocols and procedures for Temporary Release Absconders as detailed in Directive #9218, "Absconder Search (Community Supervision)."

**Note:** If a Temporary Release inmate received an open date or parole release date and is the subject of new misbehavior, has absconded or has been charged with new criminal behavior while a temporary release participant, the SPO shall follow the rescission procedure, (see Division of Parole Manual Item #8505, "Parole Rescission") and, if appropriate, temporarily suspend the open date or parole date pending the scheduling of a rescission hearing.

**Note:** If a Temporary Release inmate received a merit certificate and is the subject of new misbehavior, has absconded or has been charged with new criminal behavior while a temporary release participant, the SPO or PO shall report the details of the incident and/or behavior to the ADSP, SORC, and CCCA.

E. Removal and Restoration to a Community Supervision Caseload

1. If an inmate is removed from a Temporary Release (TR) facility and is no longer considered in active program status, it is the responsibility of the assigned Senior Parole Officer (SPO) to contact the Community Supervision Quality Control unit and request closure of the TR record in CMS.
2. Following an investigation of the facts and circumstances of an alleged TR program violation(s) where an inmate is ordered restored to a TR program (returned to a TR facility), it is the responsibility of the SPO to contact the Community Supervision Quality Control unit and request that the inmate be restored to active program status in CMS.

## Correctional Facility

# INMATE MISBEHAVIOR REPORT ♦ INFORME DE MAL COMPORTAMIENTO DEL RECLUSO

[illegible]

**NOTE: Fold back Page 2 on dotted line before completing below.**

6. WERE OTHER INMATES INVOLVED?		YES <input type="checkbox"/>	NO <input type="checkbox"/>	IF YES, GIVE NAME & # _____	
¿HUBO OTROS RECLUSOS ENVUELTOS?		SÍ <input type="checkbox"/>	NO <input type="checkbox"/>	DE SER SÍ DÉ LOS NOMBRES Y DIN _____	
7. AT THE TIME OF THIS INCIDENT: (A) WAS INMATE UNDER PRIOR CONFINEMENT/RESTRICTION?		YES <input type="checkbox"/>	NO <input type="checkbox"/>	(B) WAS INMATE HOUSED IN A SHU CELL? YES <input type="checkbox"/> NO <input type="checkbox"/>	
¿ESTUVO EL RECLUSO CONFINADO/RESTRINGIDO PREVIO AL INCIDENTE?		SÍ <input type="checkbox"/>	NO <input type="checkbox"/>	¿ESTUVO EL RECLUSO EN UNA CELDA DEL SHU? SÍ <input type="checkbox"/> NO <input type="checkbox"/>	
		OR + O			
(C) AS A RESULT OF THIS INCIDENT, WAS INMATE CONFINED/RESTRICTED?		YES <input type="checkbox"/>	NO <input type="checkbox"/>		
¿SE CONFINÓ/RESTRINGÓ AL RECLUSO COMO RESULTADO DE ESTE INCIDENTE?		SÍ <input type="checkbox"/>	NO <input type="checkbox"/>		
8. WAS INMATE MOVED AT ANOTHER HOUSING UNIT?		YES <input type="checkbox"/>	NO <input type="checkbox"/>		
¿MUDARON AL RECLUSO A OTRA UNIDAD DE VIVIENDA?		SÍ <input type="checkbox"/>	NO <input type="checkbox"/>		
IF YES, (a) CURRENT HOUSING UNIT _____		(b) AUTHORIZED BY _____			
DER SER SÍ, (a) UNIDAD DE VIVIENDA ACTUAL _____		(b) AUTORIZADO POR _____			
9. WAS PHYSICAL FORCE USED?		YES <input type="checkbox"/>	NO <input type="checkbox"/>	(IF YES, FILE FORM 2104) _____	
¿SE USÓ FUERZA FÍSICA?		SÍ <input type="checkbox"/>	NO <input type="checkbox"/>	(DER SER SÍ, SOMETA EL FORMULARIO No. 2104) _____	
AREA SUPERVISOR ENDORSEMENT _____ ENDOSO DEL SUPERVISOR DEL ÁREA _____					

## Correctional Facility

# INMATE MISBEHAVIOR REPORT ♦ INFORME DE MAL COMPORTAMIENTO DEL RECLUSO

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**NOTE: Fold back Page 2 on dotted line before completing below.**

DATE AND TIME SERVED UPON INMATE \_\_\_\_\_ NAME AND TITLE OF SERVER \_\_\_\_\_

FECHA HORA DADO AL RECLUSO	NOMBRE Y TÍTULO DEL QUE ENTREGA
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You are hereby advised that no statement made by you in response to the charges or information derived therefrom may be used against you in a criminal proceeding. ♦ Por este medio se le informa que no se puede usar ninguna declaración hecha por usted como respuesta al cargo o la información derivada de ella en una demanda criminal.

**NOTICE ♦ AVISO**

## REVIEWING OFFICER (DETACH BELOW FOR VIOLATION HEARING ONLY)

You are hereby notified that the above report is a formal charge and will be considered and determined at a hearing to be held. ♦ Por este medio se le notifica que el informe anterior es un cargo formal el cual se considerará y determinará en una audiencia a celebrarse.

The inmate shall be permitted to call witnesses provided that so doing does not jeopardize institutional safety or correctional goals. ♦ Se le permitirá al recluso llamar testigos con tal de que al hacerlo no pondrá en peligro la seguridad de la institución o los objetivos del Departamento.

If restricted pending a hearing for this misbehavior report, you may write to the Deputy Superintendent for Security or his/her designee prior to the hearing to make a statement on the need for continued prehearing confinement. ♦ Si está restringido pendiente a una audiencia por este informe de mal comportamiento, puede escribirle al Diputado del Superintendente para Seguridad o su representante antes de la audiencia para que haga una declaración acerca de la necesidad de continuar bajo confinamiento, previo a la audiencia.

Distribution: WHITE - Disciplinary Office   CANARY - Inmate (After review) ♦ Distribución: BLANCA - Oficina Disciplinaria   AMARILLA - Recluso (después de la revisión)