



Virginia Department of Corrections

Supervision and Management in the Community

Operating Procedure 920.1

Community Case Opening, Supervision, and Transfer

Authority:

Directive 920, Probationer/Parolee Supervision

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REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

The content owner reviewed this operating procedure in January 2023 and necessary changes have been made.

The content owner reviewed this operating procedure in December 2023 and necessary changes are being drafted.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, DOC directives, and operating procedures.

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DEFINITIONS

Administrative P&P - A VACORIS virtual location for cases when the probationer/parolee is not available for active supervision.

Case Management Waiver - A temporary variance to the frequency of a case management task during a probationer's/parolee's supervision.

Case Plan - A dynamic document used to guide the probationer's/parolee's progress in achieving their goals and treatment needs during supervision based on assessments of the probationer's/parolee's criminogenic factors; it is a mutually agreed contract between the probationer/parolee and supervising staff that outlines the requirements while on supervision, identifies probationer/parolee goals, outlines the activities necessary to achieve those goals, and sets time frames for completion. The P&P Officer's surveillance, verification, referral, and monitoring responsibilities are defined in conjunction with each probationer/parolee goal.

Community Contact - Communication with any person or agency representative who has knowledge of the probationer/parolee or their activities; they may include such sources as Town, City, or State Police, schools, social agencies, friends, relatives, or acquaintances of the probationer/parolee. These are variable and are directed toward addressing problems presented by the probationer/parolee. Community interaction efforts should be directly related to the *Case Plan*.

Community Corrections Alternative Program (CCAP) - A system of residential facilities operated by the Department of Corrections to provide evidence-based programming as a diversionary alternative to incarceration in accordance with COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion*.

Conditions of Supervision - A document that details the rules a probationer/parolee must abide by in order to complete supervision successfully.

Correctional Offender Management Profiling for Alternative Sanctions-R (COMPAS-R) Community Corrections - The DOC approved risk/needs assessment COMPAS-R Community Corrections is a support system for supervision and case-management decisions, a database used in combination with VACORIS, a tool that assesses recidivism risk and a tool for determining the criminogenic needs that are used to develop case plans and set programming.

Detainer - An order to hold an inmate/probationer/parolee in custody.

Employment Verification - Confirming employment through telephone contact, personal contact at the place of employment, or the viewing of pay stubs.

Evidence Based Practices (EBP) - Correctional decision making derived from research findings about practices proven to change inmate/probationer/parolee behavior thereby reducing the risk for recidivism.

Field Contact - A face-to-face contact in the community with the probationer/parolee or another person with knowledge of the probationer's/parolee's behavior and activities; field contacts must occur outside of the P&P Office area.

Gang/Security Threat Group - A group of individuals who: (a) possess common characteristics that distinguish them from other inmates/probationers/paroles or groups of persons and who, as an entity, pose a threat to the safety and security of staff, the facility, other inmates or the community; (b) have a common distinctive goal, symbolism or philosophy; (c) possess identifiable skills or resources, or engage in unauthorized/illegal activities. Criminal street gangs, terrorists (domestic & international), radical extremists, hate groups, cults, and neighborhood cliques are examples of a Gang/STG.

Goals - Targets for change aimed at addressing probationers'/parolees' identified needs and/or priority areas.

Homeless Probationer/Parolee - Any probationer/parolee released from a DOC facility or on community supervision who lacks a stable, permanent home plan.

Home Contact - Contact at the place of residence with either the probationer/parolee or another person who can verify the probationer's/parolee's residence; home contacts will be conducted to identify sources of support in the probationer's/parolee's natural community. During the home contact, an effort will be made to meet the family/significant others to assess the pertinent dynamics with the home environment and to enlist the support of others in the change process.

Initial Case Opening - Steps required to begin supervision of a case transferred into a P&P District from Interstate transfers, Institutions, Courts, or Jails.

Initial Contact - First meeting with the probationer/parolee to establish contact and advise the probationer/parolee of their supervision obligation.

Initial Interview - A personal contact occurring early in supervision and involving a thorough review of conditions and the home and employment arrangements.

Instructions - Directions imposed by the supervising P&P Officer related to expected behavior or in response to non-compliant behavior.

Minimum Expiration Date (MED) - The date established by the authority ordering supervision (Court or Parole Board) on which the supervision is expected to expire.

Motivational Interviewing (MI) - An EBP utilized to facilitate communication, enhance internal motivation to change, and build understanding and trust between the probationer/parolee and the P&P Officer.

Needs - The criminogenic factors that indicate appropriate service interventions.

Parole - A legal status that allows an inmate to complete a sentence to incarceration in the community subject to certain conditions and supervision.

Personal Contact - A face-to-face meeting between a P&P Officer and probationer/parolee.

Post Release Supervision - A judicial action that allows a period of supervision in the community, subject to certain conditions, for felony offenses committed after January 1, 1995 and for which individuals are ineligible for parole. Those sentenced to post release supervision prior to July 1, 2000 will be supervised and reviewed in the same manner as a probation case. Individuals sentenced to post release supervision after July 1, 2000 will be supervised and reviewed in the same manner as a parole case.

Probation - A judicial action in lieu of incarceration that allows a probationer to be supervised in the community subject to Court imposed conditions.

Probationer/Parolee - A person who is on community supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, the Virginia Department of Corrections, or other release authority; this includes post release supervision and Community Corrections Alternative Programs.

Recidivism - Although the DOC considers several recidivism measures, recidivism is generally defined as re-incarceration with a state responsible sentence within three years of release. (4-APPFS-3D-38)

Record Check - Inquiry to determine criminal history information. This includes when a VCIN/NCIC report is run and must be documented accordingly.

Risk - The factors that influence or predict criminal behavior.

Special Conditions - Rules imposed by a Court or the Parole Board that a probationer/parolee must abide by that are in addition to the standard conditions of supervision.

Supervision Level Review (SLR) - A tool in COMPAS suite designed to periodically review and modify the probationer's/parolee's assigned supervision level based on changes in dynamic risk and need factors.

Supervision Start Date - The date on which a P&P Office becomes responsible for supervision of the probationer/parolee.

Tasks - Realistic, behavioral action steps necessary to get the probationer/parolee to successfully complete case planning goals.

Transfer Case Opening - Steps required to begin supervision of a case transferred from another Virginia Community Corrections Alternative Program, Facility, or P&P District to continue supervision.

Transfer Request - A request from an assigned P&P District to another P&P District to evaluate a probationer/parolee for transfer of supervision.

Working Day - Weekdays, Monday through Friday, not counting official state holidays.

PURPOSE

This operating procedure provides protocols and guidance for Department of Corrections (DOC) Probation and Parole (P&P) services to open cases for probationers/parolees coming from Interstate transfers, Institutions, Courts, or Jails; to provide surveillance and community supervision of probationers/parolees; to assure public safety and assist probationers/parolees in leading crime-free lives; and to transfer probationers/parolees between Community Corrections units.

PROCEDURE

- I. Supervision Goals
 - A. The goal of supervision is to enhance public safety by providing necessary services based on evidence-based practices to facilitate change in criminal behavior to assist probationers/parolees in leading crime-free lives, reduce recidivism, and promote lasting public safety. (4-APPFS-2A-07, 4-APPFS-3D-38)
 - B. It is the DOC's belief that supervision and the use of community resources are appropriate where:
 1. Probationer/Parolee supervision promotes pro-social behavior and public safety.
 2. These changes can be achieved through supervision, community resources and services, and treatment intervention.
 - C. The basic elements of supervision include; risk/needs assessment, case planning, information from Presentence or Post-Sentence Reports, special conditions imposed by the Court or Parole Board, referral to community resources including treatment, surveillance, and follow-up action.
- II. Preparation for Supervision
 - A. Each probationer/parolee must be assigned to a P&P Officer for supervision and case management. P&P Officer assignments should be appropriate to the probationer's/parolee's needs. The authority for P&P Officers to investigate, report, supervise and assist persons within the Officers assigned P&P District who have been released on parole or post release supervision is established in COV §53.1-145, *Powers and duties of probation and parole officers*.
 1. All new cases must be assigned to Level "Intake" supervision at the time of case assignment. (4-APPFS-2A-03)
 2. A probationer/parolee who is required to register as a sex offender will be assigned to a Sex Offender Specialist P&P Officer. If the probationer/parolee also has known gang affiliations, the Sex Offender Specialist P&P Officer will work closely with the P&P Gang Specialist Officer.
 3. Any probationer/parolee being placed on supervision that is suspected of gang involvement or believed to have gang related tattoos, brands, or markings is to be interviewed by a P&P Gang Specialist Officer.
 - a. The *Gangs and STG Information and Gangs and STG Notes* are to be checked in VACORIS for possible information on the probationer's/parolee's gang involvement.
 - b. Photographs are to be taken of all tattoos, brands, and markings on each probationer/parolee and uploaded into VACORIS *Physical Appearance Module*.
 - c. Any gang related investigations, affiliations, and criteria are to be documented in *Gangs and STG Information* in VACORIS.
 - d. Any general gang related information is to be documented in the *Gangs and STG Notes* in VACORIS.
 - B. All contact with probationers/parolees and others directly related to their supervision must be documented in VACORIS *Notes*. Staff will select as many contact types as necessary to document accordingly; see Attachment 5, *VACORIS Contact Types*, for definitions regarding all contact types in VACORIS.
 - C. Prior to the initial interview, the P&P Officer will:
 1. Review background material such as the *Presentence Report* and VACORIS information relevant to

social history, *Re-Entry Plan, Case Plan*; see Attachment 4, *Thinking for a Change Peer Support Group*, risk/needs assessment, and previous adjustment to incarceration (facility notes) and/or community supervision.

2. Run a VCIN/NCIC report to verify that there are no active warrants or detainers and to confirm the identity of the probationer/parolee. Any active warrants will be confirmed with the jurisdiction noted and the P&P Officer will coordinate with law enforcement to facilitate and arrest, if necessary. All efforts must be documented in VACORIS.
- D. The P&P Officer will initiate and document contact (phone, personal, or virtual) with the probationer/parolee on Level High supervision within two working days upon receiving notification that the probationer/parolee has been placed on community supervision. (4-APPFS-2A-04)
- E. The supervising P&P Officer and the probationer/parolee will jointly develop the goals and objectives for supervision. This planning will incorporate the assessment of risks and criminogenic needs of the probationer/parolee, the problems, capabilities/limitations, and the participation of the probationer/parolee.
- F. The *Case Opening Checklist* in VACORIS may be completed to confirm that all applicable, necessary steps to open a supervision case have been completed prior to or during the initial interview.
- G. This operating procedure provides for an individualized supervision plan to be developed for each probationer/parolee. This plan is reviewed and approved by a Supervisor. The probationer/parolee receives a copy of the *Conditions of Supervision* and *Case Plan* (if needed). A copy of the *Case Plan* may be mailed or emailed to the probationer/parolee; a signature on the *Case Plan* may not always be obtained if a virtual contact was used to develop the *Case Plan*. VACORIS documentation should reflect specific discussion regarding joint development of the *Case Plan* and the method of delivery of their copy of the *Case Plan*. The supervision plan includes, as appropriate: (4-APPFS-2A-08)
1. Conditions of Supervision
 2. The appropriate level of supervision as determined by the probationer's/parolee's risk and need
 3. Objectives to be met by the probationer/parolee and the P&P Officer
 4. Services that address the probationer's/parolee's needs

III. Initial Supervision Interview

- A. The initial interview is to be held within 15 working days upon receiving notification that the probationer/parolee has been placed on supervision (within five working days for Level High supervision cases) and include a thorough review of the *Conditions of Supervision*, the home and employment arrangements, and any situation that the probationer/parolee may view as a problem that would hinder their positive adjustment into the community. This contact should be conducted in-person and not by virtual means. (4-APPFS-2A-04)
1. All new cases should be assigned to Level "Intake" supervision in VACORIS and once the COMPAS-R has been completed and a level assigned, the case should be moved to the appropriate level.
 2. Cases will be moved from Level "Intake" supervision to the appropriate assessed level as soon as possible but within five working days after the completion of the initial COMPAS-R Community Corrections.
 3. All pertinent contact types in VACORIS should be selected and used to document probationer/parolee activity and P&P Officer response.
 4. Use of current technology such as virtual contacts and text messages can be effective in reducing the assigned P&P Officer's workload to maintain contact with the probationer/parolee more efficiently. P&P Officer's should be mindful of their surroundings when conducting virtual contacts to ensure confidentiality of sensitive information.
- B. An Incoming Interstate Transfer Case's initial interview will held within 15 working days (within five

working days for Level High supervision cases) after reporting based on approved Interstate Compact Reporting Instructions or a Transfer Reply.

C. Restoration of Rights

1. The P&P Officer will give probationers/parolees the *Restoration of Rights Form* from the Office of the Secretary of the Commonwealth and have the probationer/parolee sign the *Acknowledgement of Restoration of Rights Application Form 820_F14* to document receipt of the form.
2. The P&P Officer will provide the probationer/parolee with Attachment 5, *Restoration of Civil Rights Information*, located in Operating Procedure 820.2, *Inmate Re-entry Planning*. All information pertaining to the restoration of civil rights (removal of political disabilities) can be located in Operating Procedure 820.2, *Inmate Re-entry Planning*.
3. The P&P Officer will witness the probationer's/parolee's signature and upload a signed copy of the *Acknowledgement of Restoration of Rights Application Form* to VACORIS.

D. The major objectives to be completed in the first 60 calendar days of supervision are:

1. Establish a professional relationship based on mutual respect with the probationer/parolee.
2. Obtain the probationer's/parolee's participation in the analysis of their problems, the setting of the objectives, and establishing a *Case Plan*. This will include setting limits and expectations, and assisting the probationer/parolee in connecting with resources and services in the community.
3. Explain thoroughly the *Conditions of Supervision* and have the probationer/parolee sign them; gang members must be provided a copy of the *Specialized Instructions for Validated Gang/STG Members 435_F19*; see Operating Procedure 435.2, *Gang and Security Threat Group Identification and Tracking*.
4. Explain reporting instructions.
5. Define the probationer's/parolee's designated area of travel and any prohibited areas.
6. Instruct the probationer/parolee how to contact staff during non-business hours. (4-APPFS-2A-15)
7. Discuss with the probationer/parolee the responsibility for community service and paying restitution (if ordered), Court costs, fines, and cost of confinement. (4-APPFS-2F-01, 4-APPFS-2F-02)
 - a. In accordance with COV §19.2-353.5, *Interest on fines and costs*, probationers/parolees may request the Court to waive the interest charges accrued during past incarcerations for fines and costs using the *Certification of Incarceration Period (Form DC-366)*.
 - b. If waivers are to be requested from multiple Courts, each Court must access an original *Certification of Incarceration Period (Form DC-366)*.
 - c. Only one *Certification of Incarceration Period (Form DC-366)* form is needed for each Court regardless of how many facilities the probationer/parolee was housed in.
 - d. Once the probationer/parolee records their name, date of birth, the last four digits of their Social Security number, DOC number (if known), mailing address, and contact number, the *Certification* form should be emailed to centralrecords@vadoc.virginia.gov, faxed to (804) 674-3293, or mailed to:
Virginia Department of Corrections
Attention Central Criminal Records
P.O. Box 26963
Richmond, Virginia 23261-6963
 - e. The *Certification* form must include a return address or it will be discarded.
 - f. *Certification* forms will be returned within five weeks completed or with an explanation of the findings.
 - g. The probationer/parolee should submit the completed *Certification of Incarceration Period (Form DC-366)* to the applicable Circuit Court.
 - h. Probationers/Parolees seeking a waiver of interest charges accrued during past incarcerations

- imposed by a Court in a jail or Community Corrections Alternative Program (CCAP) must submit a *Certification of Incarceration Period (Form DC-366)* to the facility for completion. The probationer/parolee should then submit the completed form to the applicable Court for instructions regarding any waiver requests for time periods served in the facility.
8. Advise the probationer/parolee of the unit's complaint procedure utilizing the chain of command with responses documented; see Operating Procedure 866.2, *Offender Complaints, Community Corrections*.
 9. Provide guidance to the probationer/parolee on employment, educational/vocational training needs, leisure time programs, and activities in the community. (4-APPFS-2D-02, 4-APPFS-2D-03)
 10. Provide guidance as needed to community agencies that provide financial and other assistance to probationers/parolees. The DOC utilizes *2-1-1 Virginia* as a directory of functioning community agencies. (4-APPFS-2D-01)
 11. Obtain a digital photograph of probationer/parolee
 - a. Each P&P Office will designate a staff person to monitor and manage the probationer/parolee identification pictures process for the P&P Office.
 - b. Identification pictures will be taken in accordance with *Identification Card Photo Requirements* of Operating Procedure 410.3, *Offender Movement Control, (Restricted)*, which provides guidance for pictures to be entered in VACORIS and used as needed to transmit digital images of probationers/parolees to the Central Criminal Records Exchange (CCRE).
 - c. The photograph must be updated whenever a probationer's/parolee's appearance has significantly changed.
 12. Photograph all brands, markings, and tattoos for documentation in the VACORIS *Physical Appearance Module*.
 13. Scan the probationer's/parolee's fingerprints using the P&P Office's Live Scan equipment and obtain a State Identification (SID) number and confirmation date from the Virginia State Police (VSP). Probationers/Parolees being transferred from a DOC institution do not need to be scanned if they already have a SID number and confirmation date in VACORIS.
 14. Collect Deoxyribonucleic Acid (DNA) sample if required; see Attachment 3, *DNA Sampling*.
 15. Have the probationer/parolee sign a *Consent for Release of Information 920_F8*. Use of the VACORIS *Consent* form is preferred, but this form is available when needed.
 16. If applicable, explain sex offender registration requirements and sex offender special conditions. Complete any applicable Global Positioning System (GPS) Monitoring requirements in accordance with Operating Procedure 735.3 *Supervision of Sex Offenders in Community Corrections*, and Operating Procedure 435.5, *Electronic Technology Supervision Programs*.
 17. Complete and submit Suspected Alien Reporting Form (SP-229); see Operating Procedure 930.1, *Community Corrections Investigations*, as needed.
 18. As needed, complete and submit *Gang/STG Observation Report 435_F1*; *Gang/STG Observation Report - Tattoo Locator 435_F2*; see Operating Procedure 435.2, *Gang and Security Threat Group Identification and Tracking*.
 19. Develop and submit a Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) risk/needs assessment in VACORIS within 45 calendar days.
 20. Develop and submit a *Case Plan* in VACORIS for Level High and Level Medium supervision cases within 60 calendar days. A *Case Plan* is not required for probationers/parolees placed in Supervision Level Low at case opening unless the case remains in the P&P District and has longer than six months remaining on supervision. Initial *Case Plans* require the probationer/parolee to physically sign the document.
 21. Gather and enter information to complete all sections of the probationer/parolee VACORIS Home

Page.

22. Confirm and when necessary update the probationer's/parolee's current address in VACORIS to include documenting probationers/parolees on supervision who are homeless.
 - a. A probationer/parolee will be identified as homeless when the probationer/parolee is under community supervision and resides in one of the following housing situations:
 - i. Unsheltered environment such as a tent, abandoned building, outdoor area, or vehicle
 - ii. Halfway house or Community Residential Program (CRP)
 - iii. Unstable living arrangements with other individuals
 - iv. Emergency or domestic violence shelter
 - v. DOC funded temporary housing
 - vi. Residential substance abuse and/ or mental health program
 - vii. Community funded temporary housing
 - b. For homeless probationers/parolees, the P&P Officer will select "local" as the address type in VACORIS, select the homeless check box on the address screen, and select the type of homelessness.
 - c. The P&P Officer will document the address of all temporary shelters, placements and other living situations in the *Address Information* section, if known, or in the *Address Comments* section if general in nature.
23. Complete the following fields, whether a presentence investigation (PSI) has been ordered or not, on the *Offender Contact Relationship* tab found under (Environmental Summary/Family Members/ Add Family Member). Applicable family members include biological, adoptive, or step mother, father, sister, brother, daughter, son or the probationer's/parolee's spouse or any other relative that raised the probationer/parolee.
 - a. First, middle, last, and maiden name
 - b. Address and phone number
 - c. If the family member has been on supervision or incarcerated
 - d. Date of birth
 - e. Highest educational level
 - f. Substance abuse history
 - g. If the family has a criminal history
24. Deliver to the probationer/parolee any personal identification documents (Birth Certificate, Social Security Card, Certificate of Release or Discharge from Active Duty (DD214), and Department of Motor Vehicles (DMV) Identification Card) received from other DOC units and document probationer/parolee receipt in the VACORIS log notes.
25. Gather and enter information to complete all required sections of the probationer's/parolee's VACORIS *Offender Mental Health Information Module*.

IV. Central Criminal Records Exchange (CCRE) Checks and Notification to State Police and Courts

- A. The P&P Officer will compare the probationer's/parolee's criminal history in CCRE with active supervision obligation(s) in VACORIS. In accordance with COV §53.1-145, *Powers and duties of probation and parole officers*, where CCRE information related to active supervision obligation(s) is lacking, the P&P Officer will notify the CCRE, specifying the active obligation information is missing, incomplete, or incorrect.
- B. For any case existing on or before June 30, 2019, the P&P Officer will check the probationer's/parolee's record in Virginia Criminal Information Network (VCIN) through CCRE not less than 60 days prior to release and, if the active obligation information is missing, incomplete or incorrect, notify VSP by submitting a *Notification of Missing Arrest* to the *VSP Missing Arrest Notifications* shared folder in accordance with this operating procedure and document with a VACORIS log note.



- C. For any obligation opened on or after July 1, 2019, the P&P Officer will check the probationer's/parolee's record in VCIN through CCRE not less than 120 days after case opening and, if the active obligation information is incomplete or incorrect, notify VSP by submitting a *Notification of Missing Arrest* to the *VSP Missing Arrest Notifications* shared folder in accordance with this operating procedure and document with a VACORIS log note.
- D. The P&P Officer will notify the Court of the updated information sent to the VSP regarding missing or incomplete information only when a subsequent hearing is docketed for the probationer/parolee.
- E. *Sentencing Orders* and *Revocation Sentencing Orders* (when received from the Courts) will be uploaded in VACORIS in the Sentencing Module. These can then be found and accessible to the VSP, who will use them to cross check and confirm information as they work to correct missing, incomplete or incorrect data in the CCRE.
- F. In some instances, the CCRE record will be reviewed in the P&P Office prior to the Clerk of the Court entering and sending information to VSP.
 - 1. In these circumstances, the record may eventually correct itself.
 - 2. P&P Officers may choose to wait to run the CCRE record check in VCIN, but not beyond what is necessary to complete *DOC Case Opening* requirements in a timely manner.

V. Supervision Conditions

A. Conditions of Probation/Post Release Supervision

- 1. The *Supervision Conditions*; see Attachment 1 for sample, are furnished in writing to probationers/parolees. (4-APPFS-2B-01)
 - a. *Supervision Conditions* must be read, explained, and signed during the initial interview.
 - b. Probationers/Parolees are required to sign the conditions, indicating understanding and willingness to comply with them.
 - c. If a communication problem (such as illiteracy, foreign language) prevents a probationer/parolee from understanding the conditions, a P&P Officer assists in explaining the conditions. Conditions are translated to the language spoken by the probationer/parolee.
- 2. When applicable, the *Sex Offender Special Instructions 735_F18* will be read, explained, and signed during the initial interview; see Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*.
- 3. The sentencing Court can impose Special Conditions of Probation and/or Post Release Supervision.
 - a. The supervising P&P Officer must enforce all Special Conditions of Probation and/or Post Release Supervision.
 - b. If a special condition cannot be enforced, or is no longer appropriate, the supervising P&P Officer must notify the Court in writing to gain relief from the special condition. (4-APPFS-2A-12)
 - c. If the Court grants relief from the previously imposed special condition, this will be clearly documented in the notes.
 - d. If the probationer/parolee satisfies the special condition, this will be clearly documented in the notes.
 - e. The P&P Officer will manage violations of special conditions in accordance with local P&P Office and Court practice for regular conditions of probation.

B. Conditions of Parole/Post Release Supervision

- 1. The *Supervision Conditions*, see Attachment 1 for sample, must be read, explained, and signed during the initial interview.
- 2. When applicable, the *Sex Offender Special Instructions 735_F18* will be read, explained, and signed during the initial interview; see Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*.

3. The Parole Board retains the authority to impose Special Conditions of Parole/Post Release Supervision.
 - a. Unless otherwise specified by the Parole Board, enforcement of the special condition is “at the discretion of the P&P Officer”.
 - i. Supervisor approval is needed if the special condition is not to be enforced.
 - ii. The decision not to enforce the special condition will be based on an assessment of the probationer’s/parolee’s needs, the availability of resources, or other factors directly related to the special condition.
 - iii. The reason for not enforcing the condition must be documented in the notes.
 - b. If the Parole Board imposes a special condition, “not at the discretion of the P&P Officer”, the supervising P&P Office must make every reasonable effort to enforce the condition. (4-APPFS-2A-12)
 - i. If the condition cannot be enforced, the P&P Officer must clearly document the reason why the special condition cannot be enforced.
 - ii. A memo must be sent to the Post Release Unit requesting relief from the special condition imposed. An alternative plan should be included.
- C. Out-Of-State Cases (Interstate Commission for Adult Offender Supervision (ICAOS) website <http://www.interstatecompact.org/>)
 1. Out-of-State probationers/parolees are required to abide by both the Virginia P&P Conditions and the sending state’s conditions of probation and/or parole.
 2. If the sending state fails to send a set of conditions with the transfer packet, the supervising P&P Officer will request a copy through Interstate Compact.
 3. The P&P Officer will prepare the *Virginia Supervision Conditions* in VACORIS after the out of state obligation is entered in VACORIS with a Supervision Type of “Interstate”, listing the Court/Authority as “Other-Interstate”, and setting the supervision Start Date as the date the probationer/parolee reported to and began supervision in Virginia
 4. At the initial interview, the supervising P&P Officer must review and have the probationer/parolee sign both the *Virginia Supervision Conditions* and the sending state’s conditions (if not previously signed). Otherwise, cases transferred from out-of-state are to be opened and managed through the same processes that apply to Virginia probationers/parolees.
- D. *Special Instructions* for probationers/parolees with certain criminogenic factors may be used to supplement the *Case Plan*. (4-APPFS-2A-06)
 1. *Sex Offender Special Instructions 735_F18* will be used in accordance with Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*.
 2. *Instructions for Substance Abuse Services 920_F1* must be used with probationers/parolees receiving High Intensity Drug Trafficking Areas grant services and may be used for other probationers/parolees with substance abuse identified as a criminogenic factor.
 3. *Specialized Instructions for Validated Gang/STG Members 435_F19*, must be provided to probationers/parolees identified as gang members; see Operating Procedure 435.2, *Gang and Security Threat Group Identification and Tracking*.

VI. Simultaneous Terms of Supervision

- A. The originating P&P Office must enter the sentence and Supervision Conditions into VACORIS and request that the supervising P&P Office accept concurrent supervision. A signed copy of the Court Order will be provided to the supervising P&P Office.
- B. Supervision from Two or More Courts
 1. The supervising P&P Officer must review conditions of probation for both Courts and they must be signed by the probationer/parolee and the supervising P&P Officer.

2. Careful attention must be given to the special conditions imposed by each Court.
3. Scan copies of conditions and court sentencing orders and place in VACORIS.

C. Simultaneous Probation, Parole, and/or Post Release Supervision

1. Supervision will begin when the probationer/parolee is released from incarceration.
2. Conditions are reviewed with the probationer/parolee.
3. The P&P Officer must pay close attention to conditions imposed by the sentencing Court and the Parole Board. Violation of a special condition of probation does not necessarily constitute a violation of parole and vice versa.

VII. Preparation of Risk/Needs Assessment

A. Results from the COMPAS-R Community Corrections risk/needs assessment will guide casework decisions including the identification of supervision levels and the development of *Case Plans*. (4-APPFS-2A-02)

1. All cases opened as an Initial Case Opening, in a P&P Office to start supervision from Interstate transfers, Institutions, Courts, or Jails, not in waiver status, must have a COMPAS-R Community Corrections risk/needs assessment completed and documented in VACORIS within the first 45 calendar days of supervision.
2. A COMPAS-R Community Corrections risk/needs assessment does not need to be completed on probationers/parolees who are being transferred out-of-state.

B. For all cases, the COMPAS-R Lite version of the assessment may be conducted initially as a risk pre-screener.

1. If the results of the COMPAS-R Lite indicate that the probationer/parolee has a COMPAS-R supervision recommendation of 'low', the case will be placed in Level Low supervision, and no further assessment is required. For consideration of an override to a higher level, the COMPAS-R Community Corrections version of COMPAS must be completed.
2. If the supervision recommendation is "medium", "medium with override consideration", or "high", the COMPAS-R Community Corrections version of COMPAS must be completed.

C. Administration of COMPAS-R Community Corrections

1. Official Record:

- a. When a new COMPAS-R Community Corrections risk/needs assessment is administered, at minimum, the P&P Officer must review the probationer's/parolee's most recent PSI, run a new DMV record, and complete a VCIN records check.
- b. The P&P Officer must garner information from these sources and other official sources containing criminal history when appropriate, not only probationer/parolee self-report or interview, to complete the *Official Records* section of the assessment.
- c. If self-report information could not be otherwise confirmed (i.e., juvenile record information), the information will be documented in VACORIS and included in calculation of the COMPAS-R Community Corrections risk/needs assessment.

2. Interview: (4-APPFS-2A-02)

- a. The *Interview* section of the COMPAS-R Community Corrections risk/needs assessment must be administered in collaboration with the probationer/parolee via a semi-structured interview between the supervising P&P Officer and the probationer/parolee. The interview may be completed in person, virtually, or by phone. The interview must not be completed in a group setting.
- b. Assigned P&P Officers should always use the administration of this section of the COMPAS-R Community Corrections risk/needs assessment as an opportunity to establish rapport with probationers/parolees, utilize motivational interviewing skills and techniques, and ensure that the questions are understood and answered appropriately by the probationer/parolee.

3. Self-Report:
 - a. A hard copy of the *Self-Report* section of the COMPAS-R Community Corrections risk/needs assessment may be given to the probationer/parolee to fill out in the P&P Office, unless the probationer/parolee has not demonstrated an adequate reading/comprehension level.
 - b. No other section of the COMPAS-R Community Corrections risk/needs assessment may be filled out by the probationer/parolee directly.
- D. Once the COMPAS-R Community Corrections risk/needs assessment is completed, the results will be communicated with the probationer/parolee and the case will be placed in the COMPAS recommended supervision level. (4-APPFS-2A-02, 4-APPFS-2A-03)
 1. To override the supervision level (for non-sex offenders) from the COMPAS-R Community Corrections risk/needs assessment or COMPAS-R Community Corrections *Supervision Level Review* recommendation to a lower level, the P&P Officer must hold a Case Conference with the Chief P&P Officer, or Community Regional Administrator if not available, who will determine the supervision level after reviewing all relevant documents including:
 - a. The most recent PSI Report.
 - b. Current criminal history (VCIN/NCIC/DMV records).
 - c. VACORIS information relevant to social history, re-entry plan, previous case plans and risks/needs assessments, and previous adjustment to incarceration and/or community supervision.
 2. Using professional judgment when assessing a probationer's/parolee's risk and needs, the supervising P&P Officer may request placement of the probationer/parolee in a higher level of supervision if documentation is provided to support the request.
 3. The Supervisor or Chief P&P Officer (in cases of lower level requests) must document the approval or override of the level assignment request in the VACORIS log notes.
- E. Correctional Mental Health Screen (CMHS)
 1. The CMHS is a tool designed to assist in the detection of mental disorders. Versions are available for both men (CMHS-M), and women (CMHS-W), and are located in the *Assessment Module* in VACORIS.
 2. For probationers/parolees who have a COMPAS-R supervision level recommendation of Medium or High and come to supervised probation directly from jails or courts, the gender-appropriate CMHS must be completed immediately after completing the COMPAS-R.
 3. Females who score "5" or more and males who score "6" or more will show a recommendation of a referral for further mental health assessment.
 4. If local resources do not exist for referral for a mental health assessment, one of the DOC District Mental Health Clinicians will be contacted to assist with completion of the assessment.
 5. Regardless of scores, a referral may be made to the P&P Officer at any time for further assessment if concerns exist about a probationer's/parolee's mental state or ability to cope emotionally or behaviorally.
 6. Referrals will be documented appropriately in the probationer's/parolee's *Case Plan*, and placement into mental health treatment programs must be documented in the probationer's/parolee's case plan as well as the *VACORIS Program Module*.
 7. For probationers/parolees who are placed on supervision directly from DOC facilities, the CMHS is not required. Mental health issues and recommendations will be sent to P&P Offices on the *Mental Health Release Summary to Community - DOC MH 9 730_F9* prior to the probationer's/parolee's release from incarceration.
- F. Hard copies of blank or completed COMPAS-R Community Corrections risk/needs assessments, screeners, and *Supervision Level Review* must never be given to the probationers/parolees to take out of the P&P Office.

VIII. Objectives Based Case Plan (4-APPFS-2A-02)

- A. A *Case Plan* is not required for probationers/parolees placed in Level Low supervision at Case Opening.
1. For these cases, the supervising P&P Officer will use VACORIS log notes to document probationer/parolee progress towards addressing needs.
 2. Subject to limited exceptions, all new probationers/parolees placed in Level Low supervision must be enrolled into *Voice Recognition Monitoring* during the first initial contact with the P&P Officer; see Operating Procedure 435.5, *Electronic Technology Supervision Programs*.
 3. Transfer to the *Voice Verification Biometrics Unit* will be initiated once all initial case opening documentation has been reviewed and pertinent probationer/parolee information entered into VACORIS i.e., current address, phone number, urine screen results, Live Scan, confirmed SID Number, photo, DNA, environmental summary, Court order (or documented request for one), and documentation of any P&P District procedures reviewed.
 4. Exemptions to *Voice Recognition Monitoring* must be approved by the Supervisor based on the following criteria: needs requiring monitoring by the supervising P&P Officer e.g., treatment, education, mental health and wellness services, drug testing, speech or hearing impediment, inability to speak or understand English or Spanish, or cognitively challenged to the point of not being able to understand the program.
- B. All *Case Plans* will be developed in VACORIS within 60 calendar days of the Initial Case Opening date for all Level High and Level Medium cases not in waiver status. An interview with the probationer/parolee is mandatory to assess risk, needs, motivation, amenability to change, and other significant factors. Case plan development may be completed in person, virtually, or by phone. (4-APPFS-2A-09)
- C. The *Case Plan* will be based on the identification and prioritization of criminogenic needs and developed in collaboration with the probationer/parolee using motivational interviewing.
1. Available local resources, criminogenic needs, the treatment implications of those needs, and any other relevant information about the case must be considered when identifying supervision goals, related tasks, timeframes, P&P Officer actions for each task, and proportionate incentives for compliance and sanctions for non-compliance. (4-APPFS-2A-09)
 2. Graduated responses to address compliance and non-compliance with the conditions of supervision and goals outlined on the *Case Plan* will be based on local practice and available local resources. (4-APPFS-2E-01)
 - a. The incentives listed below will be supplemented by additional incentives based on available P&P District resources and probationer/parolee input. Incentives with monetary value require strict documentation and accountability. Suggested, possible incentives for compliance include the following:
 - i. Verbal accolade - P&P Officer praise for supervision progress
 - ii. Certificate or letter signed by the Chief P&P Officer or Deputy Chief P&P Officer recognizing accomplishment of supervision goals
 - iii. Certificate for successful program milestones and completion
 - iv. Post or publish success stories - wall of fame, newsletter, probationer of the month
 - v. Meeting with Chief P&P Officer or Deputy Chief P&P Officer to recognize accomplishments
 - vi. Modify reporting schedule - schedule office contact to probationer/parolee convenience or substitute field contact for office contact
 - vii. Recognize the probationer/parolee and family at P&P District event or meeting
 - viii. Allow expanded travel radius
 - ix. Invite probationer/parolee family to program graduation events
 - x. Recommend reduced level of supervision
 - xi. Recommend early release from supervision

b. Sanctions will be imposed for non-compliance in accordance with Operating Procedure 920.6, *Violation of Supervision Conditions*.

3. Probationer/Parolee behavioral triggers will be identified and related to clear behavioral objectives with time lines established to show progress.
4. All personal, community, and follow-up contacts will relate to the goals, tasks, and timeframes specified in the *Case Plan* with evidence-based resources identified to ensure probationer/parolee progress toward stated goals. (4-APPFS-2A-07)
5. Initially, only a few, simple, and attainable goals will be set in order to build probationers'/parolees' self-confidence and create momentum.

D. Once the initial *Case Plan* is completed and submitted in VACORIS, a printed copy of the plan must be signed by the probationer/parolee. (4-APPFS-2A-09) The probationer/parolee will be given a copy of the *Case Plan*.

E. A Supervisor must approve the *Case Plan* no later than the initial case review. (4-APPFS-2A-09)

F. Behavior contracts or equivalent documents prepared by CCAP or Drug Treatment Courts can replace the *Case Plan* if the document includes the critical components, development and review with the probationer/parolee, and specifies how the activities are to be monitored by program staff.

G. *Case Plans* and VACORIS log notes must reflect the use of motivational interviewing, discussions related to the development of case plan goals, tasks, and timeframes to include related probationer/parolee and P&P Officer deadlines (related office appointments, follow up home contacts, follow up with providers, etc.) and probationer/parolee responses and reactions.

H. Guidelines for *Case Plan* development of any case opened as a Transfer Case Opening in a P&P Office as the result of a transfer (intrastate) are detailed in the *Transfer of Supervision* section of this operating procedure.

IX. Prohibition of Possession of Firearms by Convicted Felons

A. The probationer/parolee must be advised that both Federal Law and the Code of Virginia (COV §18.2-308.2, *Possession or transportation of firearms, firearms ammunition, stun weapons, explosives or concealed weapons by convicted felons; penalties; petition for permit; when issued*) prohibit a convicted felon from knowingly and intentionally, owning, possessing, or transporting any firearm or ammunition for a firearm, any stun weapon as defined by COV §18.2-308.1, *Possession of firearm, stun weapon, or other weapon on school property prohibited; penalty*, or any explosive material, or to knowingly and intentionally carry about their person, hidden from common observation, any weapon described in subsection A of COV §18.2-308, *Carrying concealed weapons; exceptions; penalty*. This includes “family heirlooms”, black powder, and any firearms used for hunting purposes.

B. If a convicted felon desires to have their firearm rights restored, they may petition the Circuit Court where they reside. If the Court grants such a request, this would remove the probationer/parolee from the provisions of the state law, but does not remove Federal Restrictions.

C. Under certain circumstances, probationers/parolees convicted of misdemeanors are also restricted from owning, possessing, or transporting firearms.

X. Drug Screening

A. Each probationer/parolee will be required to submit samples for alcohol and other drug testing in accordance with Operating Procedure 841.5, *Inmate and Probationer/Parolee Substance Use Testing and Treatment Services*, and local unit testing practices.

B. The P&P Office’s random drug testing program will be explained to the probationer/parolee including any color code assignments and procedures.

1. Probationers/Parolees under community supervision, who report that they are transgender or intersex

during the case opening or at any time while under supervision, will be observed during urine screens by staff of the same gender as the probationer's/parolee's self-identified gender indicated on the approved *P&P Urine Test Observation Accommodation Request* 841_F21.

- a. Any probationer/parolee that identifies as a transgender will be asked to complete the *Request* at the *Initial Interview*.
- b. Probationers/Parolees will be informed they may complete or revise the *Request* as needed throughout their supervision during any personal contact with their supervising P&P Officer.
- c. Completed forms must be submitted to Unit Head for review, approval and be filed in the probationer's/parolee's case file.

2. A completed *Case Opening Substance Abuse Screening Acknowledgement* 920_F22 must be completed and be filed in the probationer's/parolee's case file.

C. All test results must be documented in the VACORIS Drug Testing Module.

XI. Sex Offender and Crimes against Minors Registration

- A. Virginia law requires all individuals convicted of certain sex offense(s) or murder of a minor to register with the VSP; see Operating Procedure 735.1, *Sex Offender and Crimes against Minors Registration*. Registration is required whether such conviction occurred pursuant to Virginia law or under substantially similar law of the United States or any other state.
- B. Persons required to register as a sex offender in the state in which they were convicted must also register in Virginia even if the sex offense is not on the Virginia list.
- C. Failure to re-register or knowingly provide false information to the Sex Offender and Crimes Against Minors Registry is punishable as a Class 1 misdemeanor (Sex Offender/Murder of a Minor) or a Class 6 Felony (Violent Sex Offender).
- D. The probationer/parolee must register upon conviction, release from incarceration, or arrival from another state within three calendar days.
- E. Each offender is required to re-register with the VSP within three calendar days following any change in name; address; employment; electronic mail or internet identification; motor vehicle, watercraft, and aircraft registration; or any new convictions and to re-register within 30 minutes after any change in electronic mail or internet identification, to include: any instant message, chat or other internet communication name or identity information that the person uses or intends to use, whether within or without the Commonwealth.
- F. Sex offenders that are required to register must re-register when entering a CRP or CCAP.
- G. The supervising P&P Officer must complete the *Change of Address by Registered Sex Offender (SP-236C)* 735_F24 forthwith becoming aware of the change of home, job, or school address and send that form to the VSP. A copy will be retained in the probationer's/parolee's case file and a copy will be given to the probationer/parolee.
- H. Upon initial registration or a change in home, job, or school addresses, the registration information must be physically verified with 30 calendar days and every 180 calendar days thereafter.

XII. Supervision

- A. Standards of supervision are based on the assigned level of supervision.
 1. Level assignments will be reviewed when there is a change in the probationer's/parolee's status, including when a new COMPAS-R Community Corrections risk/needs assessment or a COMPAS-R *Supervision Level Review* is conducted. (4-APPFS-2A-11)
 2. A risk/needs reassessment will be administered when case activity indicates the risk profile of the probationer/parolee may have changed (i.e., increased or decreased in severity) and periodically based

- on supervision level.
3. Effective supervision of the probationer/parolee must be maintained in accordance with the assigned level of supervision at all times.
 4. Special situations may require case-by-case cooperative efforts between P&P Offices.
- B. The Supervisor must review and approve original assignment to a level of supervision and subsequent level changes. The minimum standards include the following levels of supervision:
1. Level High – COMPAS-R supervision recommendation *High*
 2. Level Medium – COMPAS-R supervision recommendation *Medium*
 3. Level Low – COMPAS-R supervision recommendation *Low*
 4. Level CCAP - Community Corrections Alternative Program
 5. Level Interstate Out - Virginia probationers/parolees accepted for transfer or departed on approved Reporting Instructions, and arrived in another state as noted in a *Notice of Arrival*
- C. *Minimum Casework Requirements for Each Supervision Level, Attachment 2*

These requirements apply to probationers/parolees being supervised by P&P Offices. Casework requirements for Drug Court programs and CCAP may differ from these P&P requirements and will be approved by the Regional Administrator.

1. Level High
 - a. Personal Contacts
 - i. The P&P Officer will initiate and document contact (in person, virtually, or by phone) with the probationer/parolee within two working days upon receiving notification that the probationer/parolee has been placed on community supervision.
 - ii. Initial interview within five working days upon receiving notification that the probationer/parolee has been placed on community supervision.
 - iii. At least one personal contact each calendar month thereafter. This contact may be a personal office contact, personal home contact, or virtual contact directly with the probationer/parolee.
 - iv. Personal office contacts may be necessary for signatures and use of EPICS skills with some probationers/parolees and should be considered when appropriate.
 - b. Community Contacts
 - i. One community contact each calendar month
 - ii. Contacts with a referral agency such as mental health and/or substance use counseling will be made on a monthly basis and will be considered a community contact.
 - c. Home Contacts
 - i. One home contact within the first 60 calendar days of case assignment.
 - ii. One completed home contact per calendar quarter. This may not be virtual.
 - d. Employment Verification at least once each calendar quarter.
 - e. Criminal arrests will be monitored using the *Criminal Arrest Notification and Local Inmate Data System* from VACORIS.
 - f. Drug and Alcohol Testing as required by P&P Office local operating procedure; see Operating Procedure 841.5, *Inmate and Probationer/Parolee Substance Use Testing and Treatment Services*.
 - g. All contacts must be documented in VACORIS log notes within seven working days of the event.
2. Level Medium
 - a. Contacts
 - i. An initial interview will be conducted within 15 working days upon receiving notification that the probationer/parolee has been placed on community supervision.
 - ii. A home contact will be conducted within the first 90 days of case assignment; can be satisfied by a home contact to the same residence for a Home Plan or Transfer Investigation within 90

- days prior to case assignment.
 - iii. The frequency and type of follow-up contacts, including personal and community contacts and home and field contacts, will be established and driven by the *Case Plan*. Probationer/Parolee input will be considered in *Case Plan* development.
 - iv. All contacts must be documented in VACORIS log notes within seven working days of the event.
 - v. P&P Officers should attempt to verify that probationers/parolees are participating in any services for which they are referred and documented as a community contact.
 - b. Criminal arrests will be monitored using the *Criminal Arrest Notification and Local Inmate Data System* from VACORIS.
 - c. Drug and Alcohol Testing as required by P&P Office local operating procedure; see Operating Procedure 841.5, *Inmate and Probationer/Parolee Substance Use Testing and Treatment Services*.
 - d. *Case Plan* drives the course of supervision.
 - i. Must be developed and revised in VACORIS
 - ii. Identifies probationer's/parolee's goals during the period of supervision, outlines tasks necessary to achieve those goals, and establishes proportionate incentives for compliance and sanctions for non-compliance.
 - iii. Will be based on probationer's/parolee's input, the identification and prioritization of criminogenic needs, and appropriate community resources to meet those needs
 - iv. Probationer/Parolee goals and tasks will be reviewed at each contact and revised as needed to address probationers'/parolees' progress or delinquency in completing the outlined goals and tasks. The statuses of goals and tasks will be updated in VACORIS *Case Plan* when they are completed either successfully or unsuccessfully. Agreed upon *Case Plan* updates may be emailed to the probationer/parolee and documented accordingly in VACORIS. Documentation of the email correspondence must also be logged in VACORIS and a copy of the email correspondence must be maintained in the case file or uploaded in VACORIS. *Case Plan* updates may be conducted in person, virtually, and by phone.
3. Level Low
- a. Subject to limited exceptions, all Level Low probationers/parolees must be enrolled into *Voice Recognition Monitoring* when first placed in Level Low supervision.
 - b. For eligible probationers/parolees, transfer to the *Voice Verification Biometrics Unit* will be initiated in accordance with Operating Procedure 435.5, *Electronic Technology Supervision Programs*.
 - c. Exemptions to *Voice Recognition Monitoring* must be approved by the Supervisor based on the following criteria: needs requiring monitoring by the supervising P&P Officer e. g., treatment, education, mental health and wellness services, drug testing, speech or hearing impediment, inability to speak or understand English or Spanish, or cognitively challenged to the point of not being able to understand the program.
 - d. If appropriate, Level Low cases retained in the P&P District may be placed on *District Voice Recognition Monitoring* in accordance with Operating Procedure 435.5, *Electronic Technology Supervision Programs*.
 - e. Level Low cases that are approved by a Supervisor to remain in the P&P District should have a *Case Plan* developed if the probationer/parolee has longer than six months remaining on supervision. The frequency and type of follow up contacts, including personal, virtual, community contacts, home contacts, and field contacts, should be established and driven by the *Case Plan*. Probationer/Parolee input should be considered in *Case Plan* development. These cases should be reviewed regularly to determine if the probationer/parolee has accomplished their goals and may be eligible to transfer to the Voice Verification Biometric Unit or request early termination from the Court.
 - f. All contacts must be documented in VACORIS log notes within seven working days of the event.

4. Absconders and Fugitives from Supervision
 - a. Upon determination that a probationer/parolee has absconded from supervision, after issuing a warrant and/or requesting that a *Capias/Board Warrant* be issued:
 - i. List the probationer/parolee as Absconded in *Community Physical Location* in VACORIS
 - ii. Notify the Operations and Logistics Unit; see Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*, who in turn will notify the Extradition and Fugitive Unit; see Operating Procedure, 435.4 *Extradition and Fugitive Services Unit*, following an incident or commencement of the incident for any absconder who:
 - (a) Is under supervision for one or more violent offenses including murder, voluntary manslaughter, kidnapping, mob related felonies, criminal sexual assault, arson, or conspiracy or attempts to commit any of the above.
 - (b) Is under supervision for one or more sexual offenses that require registration
 - (c) Removes/disables GPS device or absconds from GPS supervision
 - (d) Other high profile cases as determined by a P&P Supervisor after a Case Conference
 - (e) Once the probationer/parolee is apprehended/arrested, an addendum must be completed by the supervising P&P District to notify the Extradition and Fugitive Services Unit to cease efforts for apprehension.
 - b. Once a *Capias* or *Board Warrant* is verified, enter fugitive tracking information in VACORIS.
 - c. Leave the probationer/parolee in the level of supervision as it was prior to absconding unless they were assigned to Interstate Out. If they were assigned to Interstate Out, the level of supervision must be changed back to the original level of supervision prior to being changed to Interstate Out.
 - d. Internally assign the case as appropriate per local P&P Office protocol.
 - i. When a parolee/post-releasee absconds from supervision, the case will remain with the supervising P&P Office until such time a Parole Board warrant has been issued and is confirmed. Once confirmed, the case will be transferred to the Extradition and Fugitive Unit.
 - ii. If no parole or post release warrants are involved, and a *capias* has been confirmed as having been issued, the case will be transferred to the sentencing P&P Office. The supervision may remain in the P&P Office of last residence with the mutual agreement of the affected units.
 - iii. For any case originating out-of-state, an Interstate Compact Offender Tracking System (ICOTS) *Violation Report* must be submitted to the Sending State within 30 calendar days of the awareness of the probationer/parolee absconding. The ICOTS obligation will be closed after a complete *Violation Report* and Case Closure Notices are submitted to the Sending State, and the case will be transferred out of DOC.
 - iv. For an absconder from a CCAP who is not recovered quickly, the case will be transferred to the sentencing P&P Office.
5. A record check will be conducted:
 - a. Within three months after the warrant is issued; it will be determined and documented as to whether the warrant has been listed with VCIN/NCIC.
 - b. If the warrant has not been listed with VCIN/NCIC, the unit will document the effort of communication with the appropriate law enforcement agency encouraging them to have the warrant listed.
6. The unit holding the case in VACORIS must perform a biennial record check to determine if the warrant is active, and transfer out of DOC any case where the warrant specific to the active obligation is no longer active, and no other authority remains to keep the case open.
7. When the Extradition and Fugitive Services Unit has confirmed a warrant for a case under its control has been executed or lodged as a detainer, the case will be transferred to the sentencing P&P Office having transferred the case to the Extradition and Fugitive Services Unit for violation proceedings.
 - a. It will be the responsibility of the receiving P&P Office to proceed with the violation hearing process or request assistance from a P&P Office covering the detention facility where the probationer/parolee is held.

- b. If the P&P Office confirms the location of a parolee/post releasee assigned to the Extradition and Fugitive Services Unit, it will immediately notify the Fugitive Unit and the Post Release Unit.
- c. The Fugitive Unit will transfer the case to the appropriate P&P Office having transferred the case to the Extradition and Fugitive Services Unit for violation proceedings.
- d. It will be the responsibility of the receiving P&P Office to proceed with the violation hearing process or request assistance from a P&P Office covering the detention facility where the probationer/parolee is held.

8. Level Interstate Out

- a. Respond to activity items submitted in ICOTS within deadlines and rules established by the ICAOS.
- b. When a Community Physical Location of “Interstate Compact- List Receiving State” is entered, a completed waiver is applied and the case is removed from the COMPAS compliance reports.
- c. The “Interstate Compact- List Receiving State” Community Physical Location can be entered when the probationer/parolee arrives in the receiving state on approved Reporting Instructions or Transfer Reply.
- d. Request a final progress report at least two months prior to the Minimum Expiration Date (MED) to determine if case will be able to close on MED or if an extension needs to be secured prior to the MED.

D. Revising the *Case Plan*

1. The *Case Plan* will be reviewed with the probationer/parolee at each contact and revised when there are substantive changes in the case circumstances, the probationer’s/parolee’s performance in the community, or probationer/parolee goals and tasks. (4-APPFS-2A-11)
2. Revisions will occur when the P&P Officer becomes aware that an additional goal or task is needed or when probationer/parolee responsibilities or P&P Officer actions change to address unmet needs.
3. Any change in the *Case Plan* is reviewed and discussed with the probationer/parolee. This review is dated and documented by staff and probationer/parolee signatures. (4-APPFS-2A-10)
4. The statuses of goals and tasks will be updated in VACORIS *Case Plan* when they are completed either successfully or unsuccessfully. Documentation of probationer/parolee program participation must be captured in the VACORIS *Programs Module*.

E. COMPAS Case Risk/Needs Reassessment - Supervision Review

1. A COMPAS-R *Supervision Level Review* must be administered and documented in VACORIS when case activity indicates the risk profile of the probationer/parolee may have changed (i.e., increased or decreased in severity) and periodically based on supervision level. (4-APPFS-2A-02, 4-APPFS-2A-11) Results from this instrument will guide necessary adjustments to supervision level. (4-APPFS-2A-03)
 - a. A *Supervision Level Review* must be conducted for all Level High probationers/parolees every six months or when there is a significant change in the case, whichever comes first.
 - b. A *Supervision Level Review* must be conducted for all Level Medium probationers/parolees every 12 months or when there is a significant change in the case, whichever comes first.
 - c. A *Supervision Level Review* must be conducted for all Level Low probationers/parolees when there is a significant change in the case.
 - d. A *Supervision Level Review* must be completed when a probationer/parolee receives a violation that requires a *Major Violation Report* be submitted and the probationer/parolee returned to supervision.
 - e. A *Supervision Level Review* must also be completed for any significant misdemeanor arrests for which a minor violation was handled internally.
 - f. If the *Supervision Level Review* is conducted and the recommendation is to raise the supervision

- level, a supervision level change request will be entered in VACORIS for Supervisor review/approval and the appropriate contact standards will apply from that date. (changed 3/1/23)
- g. A new COMPAS risk/needs assessment must be administered and documented in VACORIS when a probationer/parolee receives a new felony or misdemeanor conviction that requires a *Major Violation Report* be submitted and the probationer/parolee returned to supervision after the initial COMPAS-R is completed.
 - h. The STABLE 2007 will be used in place of a *Supervision Level Review* for male probationers/parolees on supervision with a qualifying sex offense; see the *Sex Offender* Section of this operating procedure.
2. Once the COMPAS-R *Supervision Level Review* or other DOC approved risk/needs assessment is completed, the results will be communicated with the probationer/parolee and the case will be placed in the COMPAS-R Recommended Supervision level. (4-APPFS-2A-02, 4-APPFS-2A-03, 4-APPFS-2A-11)
 3. To override the supervision level (for non-sex offenders) from the COMPAS-R Community Corrections risk/needs assessment or COMPAS-R *Supervision Level Review* recommendation to a lower level, the P&P Officer must enter a level review in VACORIS and the Chief P&P Officer, or Community Regional Administrator if not available, will determine the supervision level after reviewing all relevant documents including the most recent PSI, current criminal history (VCIN/NCIC/DMV records), VACORIS information relevant to social history, re-entry plan, previous case plans and risks/needs assessments, and previous adjustment to incarceration and/or community supervision.
 4. Using professional judgment when assessing a probationer's/parolee's risk and needs, the supervising P&P Officer may request placement of the probationer/parolee in a higher level of supervision if documentation is provided to support the request. The Supervisor approves or overrides the level assignment request.
 5. Hard-copies of the blank or completed COMPAS-R assessments, screeners, and *Supervision Level Review* must never be given to the probationers/parolees to take out of the P&P Office. (
 6. Supervisory Discretion In Level Assignments – The Supervisor may:
 - a. Increase or decrease a supervision level with justification and supporting documentation in file.
 - b. Specify types and frequency of required community contacts.
 - c. Determine whether a level change should be authorized before approving waivers.
- F. Waiver of Supervision Requirements
1. Requests for waivers may allow temporary variances to the frequency of any case management task during the probationer's/parolee's supervision. All approved waivers must be documented in VACORIS and will include:
 - a. Start date
 - b. Reason for temporary variance
 - c. Case management task affected
 - d. Proposed end date
 - e. Supervisor approval if needed
 - f. When the waiver is no longer needed, the actual end date of the temporary variance must be documented in VACORIS.
 2. When standards are waived, the P&P Offices are not relieved from the responsibility to provide whatever supervision is necessary in each of those cases.
 3. After a review by the Chief P&P Officer or designee, a waiver may allow the frequency of case management tasks to be changed temporarily for any Level Medium or Level Low case for the following reasons:

- a. Termination of supervision has been recommended
- b. Probationers/Parolees who have left and remain outside a P&P District for approved medical reasons, for specific work arrangements, for education or training, or those who are participants in the Federal Witness Protection Program
- c. Probationers/Parolees who have been formally reported to be absconders
- d. Probationers/Parolees for whom a *Capias*, *PB-15*, or *Board Warrant* has been issued for violation of probation, parole, or post release supervision
- e. Probationers/Parolees placed in a special supervisory status by the Court if such status is not consistent with the requirements of the standards. The supervision contact specified by the Court must be noted in VACORIS.
- f. Probationers/Parolees while they are hospitalized or inpatients in a treatment facility
- g. Probationers/Parolees while they are incarcerated
- h. The supervising P&P Officer to whom the probationers/parolees are assigned is on leave or attending extended training outside the office
- i. P&P Officer position is vacant.
- j. The P&P Officer's safety is deemed to be in jeopardy. Use of waivers for making home contacts is to be granted on a case-by-case basis, and will be limited to the most compelling and unusual circumstances. These waivers must be monitored to avoid the repetitive use of waivers for an individual or area.
- k. If it is determined that a probationer/parolee cannot be supervised adequately because of a potential danger, the sentencing Court or Parole Board is to be notified in writing.
- l. Severe inclement weather prevents the P&P Officer from performing their duties
- m. The P&P Officer documents repeated efforts to make required contacts or the required contacts are not made as a result of the probationer's/parolee's failure to cooperate.

G. Administrative P&P

1. When a probationer/parolee is expected to be unavailable for active supervision (generally for a period to exceed six months), the case may be placed in Administrative P&P.
2. Cases transferred out of Virginia via Interstate Compact will not be placed in Administrative P&P unless the ICOTS case has closed.
3. The probationer's/parolee's location must be documented in VACORIS as "Administrative P&P" with reason for the assignment documented in *Comments* on the *Transfer Details* tab. The physical location in VACORIS will indicate where the probationer/parolee is housed i.e., jail, residential program, etc.
4. If the probationer/parolee is expected to be unavailable for an extended period, termination of supervision should be considered in accordance with Operating Procedure 920.5, *Termination of Supervision*.
5. If a parolee has a new conviction that results in a lengthy DOC/Federal sentence, update the VACORIS Sentencing Module and in VACORIS log notes, notify Post Release Unit, and place in waiver until receipt of closing instructions.

H. Supervision of Out-Of-State Cases – In addition to standard supervision requirements; see Operating Procedure 920.4, *Interstate Transfer of Supervision*.

I. Travel of Probationers/Parolees – The supervising P&P Office defines the designated area of travel.

NOTE: Caution will be exercised when approving travel by predatory sex offenders or violent/ assaultive probationers/parolees; see Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*, for additional travel permission conditions for sex offenders. ICOTS Victim Sensitive cases must have a *Compact Action Request* submitted describing any travel approved to a location in the Sending State.

1. Cases on Level Low supervision may travel outside of the designated area of travel and within the confines of the United States or its territories without issuing a *Travel Permit*. Approval will be recorded in the probationers'/parolees' VACORIS *Supervision Notes* and include:
 - a. Documentation of the P&P Officer's approval
 - b. Travel Destination (specific address and city)
 - c. Date of departure
 - d. Date of anticipated return
 - e. Any contact information deemed necessary by the supervising P&P Officer (i.e. phone number)
 - f. Contact instructions with supervising P&P Officer upon return, if applicable
 2. Levels Medium and High
 - a. Travel inside the State of Virginia
 - i. Designated by P&P Office policy
 - ii. Issuance of *Travel Permit – In State Travel 050_F3* is determined by P&P Office policy
 - b. Travel outside the State of Virginia
 - i. Designated by P&P Office policy
 - ii. The *Travel Permit – Out of State 920_F3* will be given to the probationer/parolee and a copy retained in the case file
 3. Travel of probationers/parolees to other countries
 - a. Travel by convicted felons is administered differently in many countries. Probationers/Parolees will be encouraged to consult *U.S Passport Offices* to ensure they can enter.
 - b. The decision to grant or deny a probationer's/parolee's request to travel outside of the United States is left to the discretion of the Chief P&P Officer.
 - c. If permission is given for travel, a *Travel Permit – Out of State 920_F3* will be completed and kept in the probationer's/parolee's case file.
 - d. Probationers/Parolees under parole supervision have the right to appeal travel denial. Appeals are to be made to the Parole Board via the Post Release Unit.
 - e. The Chief P&P Officer will review cases for probationers/parolees being supervised by Virginia for other states, and consult the originating state via ICOTS Compact Action request before allowing the probationer/parolee to travel outside of the United States with a Virginia Travel Permit.
- J. Supervision of a Probationer/Parolee Released to a Detainer
1. Virginia Detainer –Cases will be assigned and opened to the P&P Office wherein the detainer exists. The P&P Office must:
 - a. Monitor the case until the detainer matter is resolved
 - b. Transfer the case to the receiving P&P Office and notify the Post Release Unit if the probationer/parolee resides in another P&P Office's jurisdiction.
 - c. Notify the Post Release Unit in order for the case to be closed if the detaining charge results in additional time, which exceeds the MED.
 - d. Commence active supervision when the probationer/parolee is released from a detainer and reports to the P&P Office.
 2. Other Detainers
 - a. The supervising P&P Office will have the responsibility for all cases released on parole to:
 - i. Out-of-State jurisdictions
 - ii. US Marshal Detainer
 - iii. Immigration and Customs Enforcement (ICE) Detainer

iv. Federal Detainer

- b. When the probationer/parolee is released from this type detainer and reports to the P&P Office, active supervision will commence.
- c. If a probationer/parolee is released from VADOC to a detainer in another state and upon release from that detainer proposes a home plan in the other state, the probationer/parolee qualifies for mandatory *Reporting Instructions* and is allowed to remain there upon release while *Reporting Instructions* are pending. This exception does not apply to probationers/parolees released to federal detainers but states can approve discretionary *Request for Reporting Instructions* if they choose. The *Request for Reporting Instructions* must be submitted within two business days of the awareness of the release from the detainer to a plan in the other state.

K. Parole/Post Release Supervision Extension Procedure

1. The period of parole/post release supervision may only be extended by the Parole Board if the extension is in the best interest of the parolee and/or the community e.g., the parolee has pending charges and the trial date is beyond their MED.
2. The supervising P&P Officer must conduct a Case Conference with the immediate Supervisor at which time the reasons for the extension are reviewed.
3. The Supervisor will complete a *Casework Review and Recommendation 920_F5* and submit it to the Post Release Unit along with the P&P Officer's written explanation for extension of supervision. The request for extension must be submitted prior to the MED.
4. The parolee will be advised of the P&P Officer's intention to extend supervision and this will be recorded in the VACORIS log notes.
5. Once the Parole Board approves the extension, the parolee should be provided a copy of the *Notice of Extension*.

L. Probation/Post Release Supervision Continuance or Extension

1. Virginia Probation/Post Release Supervision cases cannot be extended beyond the MED without an order from the Court having jurisdiction.
2. Whenever there is an extension of supervision, new conditions must be prepared, showing the new expiration date. A copy of the Court order must be placed in the case file.

M. Cooperation with Law Enforcement Agencies

1. P&P Officers will establish and maintain effective communications with local law enforcement agencies for the exchange of information relative to probationer's/parolee's activities and cooperate in efforts to apprehend probationers/parolees known to be or suspected of being involved in criminal activities.
2. If P&P Officers have information that might assist law enforcement personnel, they must submit such facts immediately to the appropriate authorities.
3. When a probationer/parolee has knowledge of criminal activity, the P&P Officer will encourage and remind the probationer/parolee that they have a responsibility to report such information to the police.
4. A P&P Officer will neither encourage nor sanction the participation of a probationer/parolee in undercover police work (e.g., being an informer, information gatherer, serving as a "buyer" in the area of drug use).

N. Visits of Probationers/Parolees to State Correctional Facilities

1. Visitation with DOC inmates from probationers/parolees under supervision will be discouraged.
2. However, probationers/parolees may seek permission for visitation privileges from the on line Visitor Registration Unit on the DOC Public Website at <http://www.vadoc.virginia.gov>; see Operating Procedure 851.1, *Visiting Privileges*.

3. Visitors who do not have access to a computer or are unable to apply on-line may contact Assisting Family of Inmates for assistance with submitting an online visitation application.

O. Assistance to Persons Not Under Supervision (4-APPFS-2C-06)

1. The P&P Office may assist any person who has completed an incarceration or supervision obligation in obtaining identification documents, finding a place to live, locating employment, or otherwise becoming adjusted to the community.
2. Personal identification documents such as Birth Certificate, Social Security Card, Certificate of Release or DD214, or DMV Identification Card received at a DOC facility after an inmate's or CCAP probationer's/parolee's release will be forwarded to the P&P District serving the release plan address within 30 days by courier or certified mail in accordance with Operating Procedure 050.1, *Offender Records Management*.
 - a. P&P staff will make a reasonable effort to deliver the personal identification documents received from a DOC facility to those with or without active conditions of supervision.
 - b. P&P staff will return any personal identification documents not delivered within 30 days by certified mail to the sending agency.
 - c. Social Security Cards must be returned to the local Social Security Administration offices; see Operating Procedure 820.2, *Inmate Re-entry Planning*.

P. Drug Screening of Probationers/Parolees

1. Drug screens are considered a reliable method of monitoring use of drugs and alcohol.
2. It is the responsibility of every P&P Office and special program to establish a drug screening policy; see Operating Procedure 841.5, *Inmate and Probationer/Parolee Substance Use Testing and Treatment Services*. Consideration will be given to the history of the probationer/parolee, the nature of the offense, special conditions imposed by the Parole Board and/or the sentencing Court, and the P&P Officer's judgment of the probationer/parolee.
3. P&P Offices are encouraged to utilize the *Substance Abuse Voluntary Admission 841_F9*.
4. The probationer/parolee will review/read the *Case Opening Substance Abuse Screening Acknowledgement 920_F22*, and the supervising P&P Officer will document this fact in VACORIS log notes and place the *Acknowledgement* in the P&P Office probationer's/parolee's paper case file.
5. P&P Officers will report all confirmed or suspected instances of probationers/parolees on community supervision overdosing by utilizing the provided reporting instrument/tracking system. The Overdose Tracking System can be found at: <https://www.surveymonkey.com/r/J3SZYFS>.

Q. Sex Offenders

1. Registration and re-registration requirements for probationers/parolees convicted of certain sex offenses and certain crimes against minors are covered in Operating Procedure 735.1, *Sex Offender and Crimes against Minors Registration*.
2. Supervision of sex offenders will be guided by Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*.
3. The ACUTE 2007 will be administered on each meaningful personal contact with all male probationers/parolees under supervision for a sexual instant offense. This assessment instrument is not used for female probationers/parolees.
4. The STABLE 2007 will be administered on all male probationers/parolees under supervision for a sexual instant offense as part of a *Supervision Level Review* every six months.
 - a. For those cases reduced to Level Medium supervision, a minimum of two STABLE 2007 assessments will be administered at six month intervals.
 - b. After two STABLE 2007 have been administered in Level Medium, a STABLE 2007 will be administered at least once per year.

R. Miscellaneous

1. Probationers/Parolees with Mental Health Issues
 - a. See Operating Procedure 730.3, *Mental Health Services: Levels of Service*, for mental health and wellness service resources available to Community Corrections units.
 - b. Community Corrections personnel or other responsible persons can petition a local Judge or magistrate for screening of a mentally ill person for commitment, whether or not the person is being held in jail.
 - c. This commitment is called an Emergency Custody Order.
 - d. This procedure allows the mental health experts time to evaluate the individual to determine if they are a danger to themselves or others due to mental illness and/or substance abuse.
 - e. All required sections of the probationer's/parolee's VACORIS *Offender Mental Health Information Module* must be completed when a P&P Officer determines the probationer/parolee has a potential mental health issue.
2. The supervising P&P Officer must not attempt to force the payment of private debts by threat of violation.
3. When funds are collected from probationers/parolees under community supervision, the Chief P&P Officer ensures the appropriate collection, safeguarding, and disbursement of all monies in accordance with COV §2.2-4800 et seq, *Virginia Debt Collection Act*, and DOC operating procedures; see Operating Procedure 210.2, *Cash Management*. Staff are trained in these processes. Under no circumstances will P&P Office staff handle cash from anyone under supervision.
4. Staff receiving an allegation from a probationer/parolee under community supervision that they were sexually abused while confined at a correctional facility (jail, DOC facility, etc.) must notify the Chief P&P Officer or designee of the allegation immediately.
 - a. Staff must document the allegation through a VACORIS *Internal Incident Report* with the Prison Rape Elimination Act (PREA) Description checked in accordance with Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*.
 - b. The Chief P&P Officer or designee must notify the head of the facility or appropriate office of the agency where the alleged abuse occurred and the Regional PREA Analyst.
 - c. The Chief P&P Officer or designee must notify a Community Corrections Psychology Associate (Mental Health Clinical Supervisor, Mental Health Clinician, or Mental Health Specialist) who will conduct assessments and refer for services as needed in accordance with Operating Procedure 730.3, *Mental Health Services: Levels of Service*.
 - d. Harassment and discrimination of probationers/parolees based on race, sex, color, religion, national origin, gender, sexual orientation, gender identity, disability, political affiliation, or veteran status is prohibited. (4-APPFS-2G-01)
5. Emergency Services – P&P Offices have a mission requirement to provide certain probationer/parolee services; therefore an exemption is obtained each fiscal year that allows the use of DOC Community PCards for accommodations, restaurant, and travel purchases for probationers/parolees only; see Operating Procedure 260.3, *Small Purchase Charge Card Program*.
 - a. All expenditures must comply with the current spending requirements in the State Travel Regulations Topic 20335 of the DOA CAPP Manual, which outlines the meal reimbursement and lodging policy; see Operating Procedure 240.1, *Travel*.
 - b. The removal of these standard restrictions must be requested when submitting an application for a new PCard and the accompanying analysis must show line items for these type expenditures.
 - c. If P&P Offices find that their PCard holder's PCards are restricted and can justify having restrictions removed, complete and submit the *PCard Change Request 260_F14* to the Program Administrator; see Operating Procedure 260.3, *Small Purchase Charge Card Program*.
 - d. Funds are made available to each P&P District annually for purchasing community services to assist probationers/parolees and to supplement existing programs.

- i. Such funds are to be spent with approved contract vendors and must be approved by the Chief P&P Officer or designee.
- ii. Probationers/Parolees will be advised that they are responsible for any cost incurred beyond the allowable reimbursements such as damages, rental charges, and hotel services.
- iii. Each P&P District has the authority to establish and monitor treatment services provided by these vendors.
- iv. No funds are to be expended if services are readily available through the local service provider.
- v. Any multiple or single purchases, such as housing, which extend beyond 30 days for a single probationer/parolee will require prior approval from the appropriate Regional Administrator or designee.

S. Probationer/Parolee Complaints

1. All probationers/parolees assigned to a P&P Office must be advised that they have complaint/grievance procedures including at least one level of appeal available them. (4-APPFS-2G-02)
 2. Notification will be included in the initial interview when a probationer/parolee enters supervision. Information on complaint procedures will be included in any printed orientation materials.
 3. If a form is provided for complaints/grievances, the probationer/parolee will be advised where to obtain the form and how to submit it for investigation and response.
 4. There will be no reprisal against any probationer/parolee for complaints submitted in good faith.
 5. Complaints should be resolved at the lowest level possible.
 6. If the complaint cannot be resolved directly between the staff member and the probationer/parolee, the probationer/parolee may submit the complaint to the staff member's immediate supervisor.
 7. Evaluation (4-APPFS-2G-02)
 - a. Chief/Deputy Chief P&P Officer will evaluate the complaint procedure at least annually to determine its efficiency and effectiveness.
 - b. The quantity and nature of probationer/parolee complaints are aggregated and analyzed annually.
- T. Arrest of Probationers/Parolees – The functions of apprehension and arrest of probationers/parolees must be delegated to local, State, Federal, or other authorized law enforcement officials.

U. Case Review

1. Objectives of Case Reviews will include:
 - a. Assessing the quality and appropriateness of the *Case Plan*
 - b. Determining swift and appropriate response to delinquency and alleged violations
 - c. Noting progress toward successful completion of goals and tasks outlined on the *Case Plan*
 - d. Completing proper registration with criminal data bases including CCRE, Sex Offender Registration, and ICE
 - e. Utilizing available rewards, sanctions, and community resources
 - f. Complying with minimum standards of supervision and agency directives
 - g. Improving the quality of casework, documentation, and correspondence
 - h. Verifying that the level of supervision has been reviewed as required and assessing the appropriateness of the level assignment
 - i. Determining if the probationer/parolee is a candidate for early termination from supervision
2. Reviewer's comments will:
 - a. Explicitly acknowledge good work
 - b. Identify items to be addressed
 - c. Be documented in VACORIS


- d. Be followed up when supervisory instructions are issued
3. Supervisory discretion – A Supervisor may:
 - a. Review any case at any time and at any frequency after the initial review
 - b. Review any written work, report, or outgoing correspondence at any time and at any frequency to insure accuracy, appropriateness, and timeliness
 - c. Direct the type and frequency of required probationer/parolee and community contacts
4. Case Reviews by a Supervisor (4-APPFS-3A-27)
 - a. NOTE: Sex offender cases have additional supervision requirements in Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*.
 - b. Initial case reviews must be conducted not later than 120 days after P&P Officer assignment. The initial case review should not be conducted prior to the completion of case opening requirements unless the probationer/parolee is not available for supervision. There is a *Case Review Checklist* available in VACORIS.
 - c. In the following significant casework events, the Supervisor will review all facts and information necessary to approve the casework decision. The action may be documented as a full “case review” whenever a substantial review is completed.
 - i. Minor violations involving possible jail sentences and major violations *Major Violation Report*
 - ii. Issuance of PB-15 and requests for capiases, show causes, and Board Warrants
 - iii. When a *Casework Review and Recommendation 920_F5* is completed
 - iv. When a Notice of Preliminary Violation Hearing and Designation of Probation Conditions Violated are completed
 - v. Early termination requests from supervision
 - vi. Requests for waivers or substitute requirements
 - vii. Changes in supervision levels
 - viii. Authorizations for expenditures for DOC contracted service providers including adult residential care and community programs
 - ix. Case Conferences
 - x. Serious Incident Reports
 - d. For cases in supervision Level Interstate Out, a case review must be conducted upon receipt of an *Offender Violation Report* or upon receipt of a *Progress Report* reporting non-significant violations or requesting early release consideration. For probationers/parolees released directly from jail or facility to an approved out-of-state Interstate plan, a case review is triggered by the transfer of the case from the facility to the P&P Office.
5. Referrals
 - a. Caseload Referrals
 - i. P&P Officers may refer cases which meet target population and participant criteria at any time that the P&P Officer and Supervisor agree the probationer/parolee can profit from the program.
 - ii. Such referral must be considered when technical violations or misdemeanor convictions have resulted in a major violation and Level High supervision represents an alternative to incarceration.
 - b. Arrest Referrals – Any probationer/parolee on Level Medium or Level Low supervision, who is arrested on new charges and makes bond, should be considered for placement in Level High supervision.
 - c. Hearing Officer Referrals – At the preliminary parole violation hearing, the Hearing Officer may impose Level High supervision participation as a sanction. The final decision will rest with the Hearing Officer, but will be delayed pending a review by the Chief /Deputy Chief P&P Officer or designee.
 - d. Hearing Examiner Referrals: At the final parole revocation hearing, the Hearing Examiner may impose Level High supervision as a sanction. The Chief/Deputy Chief P&P Officer or designee

will review the case for acceptability before placement in Level High supervision can occur. If placement does not occur, the Parole Board will be notified.

6. Referral Process for Discretionary Placement in Level High
 - a. Each candidate for Level High must be reviewed and approved by a Chief/Deputy Chief P&P Officer or an officially designed Senior P&P Officer.
 - b. The Supervisor will use the COMPAS-R supervision recommendation and any available background information as well as the participation and input from the referring source if available. (changed 3/1/23)
 - c. The Supervisor will consider the probationer's/parolee's motivation, receptivity, and potential to benefit from Level High supervision, as well as the potential risk exposure to the community.
 - d. The principle duties of the Supervisor are:
 - i. Staff cases to determine placement on Level High supervision
 - ii. Staff cases to determine movement to standard supervision
 - iii. Target high risk cases for the P&P District's Level High supervision program
 - iv. Divert high needs cases to Level Medium with recommendations for addressing the needs of the probationers/parolees Establish specific supervision requirements in excess of the minimum standards if needed
 - e. Transition from Level High to standard supervision must not occur without the approval of the Chief /Deputy Chief P&P Officer or an officially designed Senior P&P Officer.

XIII. Transfer of Supervision (Intrastate)

A. Transfers between P&P Offices

1. The residence of a probationer/parolee determines the P&P Office that supervises the case.
 - a. Exceptions are to be approved by the appropriate Regional Administrator(s).
 - b. If the Judge allows a probationer to reside in another P&P District without transferring the case, the originating P&P Office will notify the other P&P Office of the action taken.
 - c. A transfer will be initiated when a probationer/parolee under Level High supervision is expected to reside in another P&P District for more than seven calendar days.
 - d. A transfer will be initiated when a probationer/parolee under Level Medium or Level Low supervision is expected to reside in another P&P District for more than 45 calendar days.
 - e. P&P Offices must enter a transfer in VACORIS for any probationers/parolees participating in a residential program outside of the P&P Office jurisdiction to the P&P Office in which the residential program exists; see the *Other Transfers* section of this operating procedure.
2. Transfer acceptability:
 - a. The probationer/parolee must be discouraged from relocating to another P&P District without an acceptable, bona fide home plan
 - b. Pending charge(s), positive urine screens, or probationer/parolee attitude do not constitute a reason for refusal of a transfer request
 - c. Public safety must not be compromised
 - d. The Victim Services Unit (804-674-3243 or victimservices@vadoc.virginia.gov) must be contacted regarding input if the probationer/parolee has a VACORIS Victim Registered Alert Flag:  **Victim Registered**
3. Initially Requesting Transfer Investigation to another P&P Office
 - a. The originating P&P Office must enter all transfer requests from P&P District to P&P District into VACORIS as an investigation.
 - b. The originating P&P Office must ensure that all relevant information in VACORIS is complete and current, including but not limited to:
 - i. SID number and confirmation date from the VSP

- ii. Photograph
- iii. Tattoos, identifying marks
- iv. Probationer's/Parolee's address and employment
- v. Current supervision obligations and conditions
- vi. *Case Plan* (unless in Waiver status, e.g. transferred at Case Opening)
- vii. Risk and Needs (COMPAS-R) Assessments, to include *Supervision Level Reviews* as required (unless in Waiver status, e.g. transferred at Case Opening)
- viii. Up-to-Date Case Notes
- ix. The P&P Officer will include an adjustment summary and any other pertinent information under the "Request Notes" section of the Investigation screen or in VACORIS log notes.
 - x. In the adjustment summary, enter with whom the probationer/parolee will be residing in the receiving P&P District, and if this has been verified by telephone or other means.
 - xi. If reporting instructions are received for Level High cases, enter this information in the adjustment summary.
 - xii. Correspondence with the Victim Services Unit as needed.
4. Send hard copy, fax, or scan and e-mail the Court Order and only pertinent file material requested by the receiving P&P Office that is not available in VACORIS. The receiving P&P Office will print any needed material or forms from the probationer/parolee file in VACORIS.
5. The signed conditions, any special conditions, and court order(s) must be uploaded in VACORIS as part of a transfer.
6. When the P&P Officer gives a probationer/parolee on supervision Level High permission to proceed to another P&P District prior to the completion of a Transfer Investigation, the P&P Officer must notify the receiving P&P Office. The permission however, begins with the receiving P&P Office, following a conversation between the sending P&P Office and receiving P&P Office Supervisor; see the *Level High Supervision – Additional Requirements* section below.
7. For a probationer/parolee on Level Medium supervision, the supervising P&P Officer will make a VACORIS log notes indicating that the transfer request was approved and the probationer/parolee was given permission to proceed.
8. The probationer/parolee must be directed to contact the receiving P&P Office, follow their instructions, and return to the originating P&P District if the transfer is not approved.
9. The Transfer Investigation must be completed within 45 calendar days of the case being transferred into the P&P District for Level Medium cases. This investigation will include:
 - a. Verification of the proposed residence
 - b. Suitability of the proposed plan
 - c. Results of a recent record check
 - d. Statement that personal contact was made with the probationer/parolee, if appropriate
10. Transfer of sex offenders

Sex offenders have additional requirements for transfer and supervision listed in Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*.
11. The transfers of cases on GPS have additional requirements; see Operating Procedure 435.5, *Electronic Technology Supervision Programs*.
12. The transfer of cases with violations have additional requirements; see Operating Procedure 920.6, *Violation of Supervision Conditions*.
13. All denials of transfer requests must be approved by the Chief P&P Officer or designee.
14. If the case is not accepted by the receiving P&P Office, the originating P&P Office may appeal to their Regional Administrator.
15. If necessary, the originating Regional Administrator will contact the receiving Regional Administrator.

16. The probationer/parolee will remain under supervision of the receiving P&P Office pending a final decision.
17. Preparation of Risk/Needs Assessment
 - a. For cases where a transfer is accepted before the initial COMPAS-R Community Corrections assessment is completed, the receiving P&P Office is responsible for conducting the initial COMPAS-R Community Corrections assessment within 45 calendar days of the case being transferred into the P&P District.
 - b. If the case does not have a prior COMPAS risk/needs assessment, a COMPAS-R Lite must be completed within 30 calendar days of case opening. If the supervision recommendation is “medium”, “medium with override consideration”, or “high”, the COMPAS-R Community Corrections version of COMPAS must be completed.
 - c. If the case does have a prior assessment for the current supervision period, the most recent COMPAS risk/needs assessment will be reviewed within 30 calendar days of case opening; see the *Supervision* section of this operating procedure.
 - d. If the case is in Level High supervision and the case has been opened for more than six months since the last assessment, a COMPAS-R *Supervision Level Review* must be completed by the originating P&P District prior to transfer. If the case is in Level Medium supervision and the case has been opened for more than twelve months since the last assessment, a COMPAS-R *Supervision Level Review* must be completed by the originating P&P District prior to transfer.
 - e. A COMPAS-R Community Corrections risk/needs assessment does not need to be completed on probationers/parolees who are being transferred out-of-state.
18. Once the COMPAS-R *Supervision Level Review* or risk/needs assessment is completed, the results will be communicated with the probationer/parolee and the case will be placed in the COMPAS-R Recommended Supervision level. (4-APPFS-2A-02, 4-APPFS-2A-03)
19. To override the supervision level (for non-sex offenders) from the COMPAS-R Community Corrections risk/needs assessment or COMPAS-R *Supervision Level Review* recommendation to a lower level, the P&P Officer must hold a Case Conference with the Chief P&P Officer, or Community Regional Administrator if not available, who will determine supervision level after reviewing all relevant documents including the most recent PSI, current criminal history (VCIN/NCIC/DMV records), VACORIS information relevant to social history, re-entry plan, previous *Case Plans* and risks/needs assessments, and previous adjustment to incarceration and/or community supervision.
20. Using professional judgment when assessing a probationer’s/parolee’s risk and needs, the supervising P&P Officer may request placement of the probationer/parolee in a higher level of supervision if documentation is provided to support the request. The Supervisor approves or overrides the level assignment request.
21. On assignment of Level Low supervision, eligible probationers/parolees will be transferred to the Voice Verification Biometrics Unit in accordance with Operating Procedure 435.5, *Electronic Technology Supervision Programs*.
22. Level Medium supervision
 - a. The receiving P&P Office will record the acceptance or denial of the transfer request in VACORIS. If the receiving P&P Office approves the transfer, the case will be transferred automatically by VACORIS to that P&P District.
 - b. When the receiving P&P Office completes the transfer investigation and it is found to be acceptable, the receiving P&P Office must enter the completion for the investigation into VACORIS. This will automatically transfer the case from originating P&P Office to receiving P&P Office.
 - c. Cases transferred at the time of Initial Case Opening without a completed *Case Plan* must have a *Case Plan* developed jointly with the probationer/parolee that is signed and copied to the probationer/parolee within 45 days after acceptance of the case.
 - d. Transfer Case Opening - When cases are accepted as a transfer in a P&P Office from another P&P

Office (inter-district), the receiving P&P Officer must perform the following actions within 60 calendar days of the case being transferred into the P&P District.

- i. Establish a professional relationship based on mutual respect with the probationer/parolee
- ii. Conduct a personal contact
- iii. Review Conditions of Supervision
- iv. Review present status of special conditions
- v. Review designated area of travel explained/defined
- vi. Discuss probationer/parolee complaint procedure
- vii. Provide information on appropriate leisure time activities and programs
- viii. Explain “non-business” hours contact procedures
- ix. Provide reporting instructions
- x. Cases transferred with a completed *Case Plan* must have a *Case Plan* jointly reviewed and revised with the probationer/parolee, as needed that is signed and copied to the probationer/parolee. (Level Medium cases only)
- xi. If the case being supervised is from another state (Interstate Case), the P&P Office initiating the transfer request is responsible for entering the move in ICOTS once the transfer is accepted. If the case is victim sensitive, the sending state must be notified of the probationer’s/parolee’s new address; see Operating Procedure 920.4, *Interstate Transfer of Supervision*.

23. Level High supervision - additional requirements

- a. Transfer of Level High supervision and sex offender cases should not be permitted unless the transfer is an absolute necessity and will ensure effective supervision.
- b. The originating P&P Office must contact a Supervisor at the receiving P&P Office via telephone to obtain reporting instructions for the probationer/parolee. Reporting instructions should not be requested through VACORIS for this supervision level.
- c. The probationer/parolee is to report for an initial contact to the receiving P&P Office within three working days of relocation.
- d. Any non-VACORIS documents such as clinical assessments, treatment reports, or polygraph results must be sent to the receiving P&P Office via fax or e-mail.
- e. Supervision of the case will begin immediately. The transfer investigation will be completed within seven working days. The case will be transferred upon approval by the receiving P&P Office. The Interstate Compact Unit will be notified, when applicable.
- f. Cases transferred at the time of Initial Case Opening without a completed *Case Plan* must have a *Case Plan* developed jointly with the probationer/parolee that is signed and copied to the probationer/parolee within 45 days after acceptance of the case.
- g. Transfer Case Opening - When cases are accepted as a transfer in a P&P Office from another P&P Office (inter-district), the receiving P&P Officer must perform the following actions within seven working days of case assignment.
 - i. Establish a professional relationship based on mutual respect with the probationer/parolee
 - ii. Conduct a personal contact
 - iii. Review Conditions of Supervision
 - iv. Review present status of special conditions
 - v. Review designated area of travel explained/defined
 - vi. Discuss probationer/parolee complaint procedure
 - vii. Provide information on appropriate leisure time activities and programs
 - viii. Explain “non-business” hours contact procedures
 - ix. Provide reporting instructions
 - x. Cases transferred with a completed *Case Plan* must have the *Case Plan* jointly reviewed and revised with the probationer/parolee, as needed that is signed and copied to the probationer/parolee.
 - xi. If the case being supervised is from another state (Interstate Case), the P&P Office initiating the

transfer request is responsible for entering the move in ICOTS once the transfer is accepted. If the case is victim sensitive, the sending state must be of the probationer's/parolee's new address; see Operating Procedure 920.4, *Interstate Transfer of Supervision*.

- h. If the case is not accepted for transfer by the receiving P&P Office, the probationer/parolee is to be informed immediately and instructed to report to the originating P&P Office within three working days. An appointment will be made with the original Supervising P&P Officer to ensure minimal disruption in supervision.

B. Assignments to CCAP

1. Referrals to CCAP are regulated by Operating Procedure 930.2, *Community Corrections Alternative Program Referral Unit*.
2. Transfer between programs in CCAP
 - a. If a probationer/parolee is scheduled to transfer to another CCAP, the requesting CCAP should initiate a transfer investigation in VACORIS to include a projected graduation date.
 - b. The receiving CCAP should accept the case and enter the intake date. Once the case has been accepted, the CCAP should assign a P&P Officer to the case.
3. Transfer from a CCAP to the supervising P&P Office
 - a. The CCAP will enter a projected graduation date for transfer back to the originating P&P Office.
 - b. If the probationer/parolee submits a release plan for a residence in another jurisdiction, the CCAP will initiate a transfer request to the appropriate P&P Office.
 - c. Upon case acceptance in VACORIS, the CCAP will notify the originating P&P Office of the probationer's/parolee's approved transfer and the P&P Office to which the case was transferred.
 - d. Transfer Case Opening - When cases are accepted as a transfer in a P&P Office from CCAP, the receiving P&P Office must perform the following actions within 30 calendar days of case assignment:
 - i. Establish a professional relationship based on mutual respect with the probationer/parolee
 - ii. Conduct a personal contact
 - iii. Review Conditions of Supervision
 - iv. Review present status of special conditions
 - v. Review designated area of travel explained/defined
 - vi. Discuss probationer/parolee complaint procedure
 - vii. Provide information on appropriate leisure time activities and programs
 - viii. Explain "non-business" hours contact procedures
 - ix. Provide reporting instructions
 - x. COMPAS-R Community Corrections risk/needs reassessments and *Supervision Level Reviews* should be conducted per the *Supervision* section of this operating procedure.
 - xi. Jointly with the probationer/parolee, review and revise, as needed, a *Case Plan* that is signed and copied to the probationer/parolee.
 - xii. If the case being supervised is from another state (Interstate Case), the P&P Office initiating the transfer request is responsible for entering the move in ICOTS once the transfer is accepted. If the case is victim sensitive, the sending state must be notified of the probationer's/parolee's new address; see Operating Procedure 920.4, *Interstate Transfer of Supervision*.
 - e. The accepting P&P Office will accept the case in VACORIS and assign a P&P Officer.
 - f. If the probationer/parolee fails to complete the CCAP successfully, the originating P&P Office will be notified in accordance with Operating Procedure 940.4, *Community Corrections Alternative Program*, and the case transfer date will be entered into VACORIS. The originating P&P Office will accept the case and enter assigned P&P Officer.

C. Other Transfers

1. Probationers/Parolees in jail

- a. Probationers/Parolees under supervision that are arrested will remain the responsibility of the supervising P&P Office until sentencing. The jail should be entered on VACORIS as the physical location.
 - b. If the probationer/parolee is convicted and has time to serve; see Operating Procedure 920.5, *Termination of Supervision*, for guidance based on the time to serve.
 - c. A probationer/parolee under supervision that is on bond (pretrial or pending appeal) must continue under supervision by the P&P Office so long as the MED has not expired, or the Court has not instructed the P&P District to continue supervision while pretrial or bond is in place.
2. Transfers within a P&P District (Intra-District)
- Transfer Case Opening - P&P Officers assuming responsibility for cases transferred from within the same P&P District (intra-district) must complete any of the following actions for each case as prescribed by P&P District practice and procedure within 90 calendar days of case assignment.
- a. Establish a professional relationship based on mutual respect with the probationer/parolee.
 - b. Conduct a personal contact
 - c. Review and sign *Conditions of Supervision*
 - d. Review present status of special conditions
 - e. Review designated area of travel
 - f. Discuss probationer/parolee complaint procedure
 - g. Provide information on appropriate leisure time activities and programs
 - h. Explain “non-business” hours contact procedures
 - i. Provide reporting instructions
 - j. COMPAS-R Community Corrections risk/needs reassessments and *Supervision Level Reviews* must be conducted per the *Supervision* section of this operating procedure.
 - k. Jointly with the probationer/parolee, review and revise, as needed, a *Case Plan* that is signed and copied to the probationer/parolee.
3. Facility’s - Transfers into and out of DOC facility’s will be controlled in VACORIS by facility staff.
4. Warrants - see Operating Procedure 920.6, *Violation of Supervision Conditions*
5. Fugitive Unit - See Operating Procedure 435.4, *Extradition and Fugitive Services Unit*
6. Death - Once death is confirmed and appropriate reports submitted in accordance with Operating Procedure 920.5, *Termination of Supervision*, the death will be entered in VACORIS by the supervising unit.
7. Interstate Transfers - See Operating Procedure 920.4, *Interstate Transfer of Supervision*.
8. Residential Programs - P&P Offices must transfer probationers/parolees participating in a residential program outside of the P&P Office jurisdiction to the P&P Office in which the residential program exists. There may be exceptions, which will be approved by the Regional Administrator.
- a. Exceptions will be limited to residential program duration under 60 days, out of state programs where a transfer is not possible, and other special circumstances that would cause the transfer to be detrimental to the probationer/parolee.
 - b. If a probationer/parolee is terminated from the residential program or completes the residential program with no home plan in the jurisdiction where the residential program is located, the probationer/parolee will be transferred back to the originating P&P Office for supervision.
 - c. If a probationer/parolee has an approved home plan in the jurisdiction where the residential program is located (aside from Gemeinschaft), the P&P Office where the residential program is located will continue supervision.

REFERENCES

COV §2.2-4800 et seq., *Virginia Debt Collection Act*.



COV §18.2-308, *Carrying concealed weapons; exceptions; penalty.*

COV §18.2-308.1, *Possession of firearm, stun weapon, or other weapon on school property prohibited; penalty.*

COV §18.2-308.2, *Possession or transportation of firearms, firearms ammunition, stun weapons, explosives or concealed weapons by convicted felons; penalties; petition for permit; when issued.*

COV §19.2-353.5, *Interest on fines and costs.*

COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion.*

COV §53.1-145, *Powers and duties of probation and parole officers.*

DOA CAPP Manual, *State Travel Regulations Topic 20335*

Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*

Operating Procedure 050.1, *Offender Records Management*

Operating Procedure 210.2, *Cash Management*

Operating Procedure 240.1, *Travel*

Operating Procedure 260.3, *Small Purchase Charge Card Program*

Operating Procedure 410.3, *Offender Movement Control (Restricted)*

Operating Procedure 435.2, *Gang and Security Threat Group Identification and Tracking*

Operating Procedure 435.4, *Extradition and Fugitive Services Unit*

Operating Procedure 435.5, *Electronic Technology Supervision Programs*

Operating Procedure 730.3, *Mental Health Services: Levels of Service*

Operating Procedure 735.1, *Sex Offender and Crimes against Minors Registration*

Operating Procedure 735.3, *Supervision of Sex Offenders in Community Corrections*

Operating Procedure 820.2, *Inmate Re-entry Planning*

Operating Procedure 841.5, *Inmate and Probationer/Parolee Substance Use Testing and Treatment Services*

Operating Procedure 851.1, *Visiting Privileges*

Operating Procedure 866.2, *Offender Complaints, Community Corrections*

Operating Procedure 920.4, *Interstate Transfer of Supervision*

Operating Procedure 920.5, *Termination of Supervision*

Operating Procedure 920.6, *Violation of Supervision Conditions*

Operating Procedure 930.1, *Community Corrections Investigations*

Operating Procedure 930.2, *Community Corrections Alternative Program Referral Unit*

Operating Procedure 940.4, *Community Corrections Alternative Program*

ATTACHMENTS

Attachment 1, *Supervision Conditions - Sample*

Attachment 2, *Minimum Casework Requirements for Each Supervision Level*

Attachment 3, *DNA Sampling - Green (Old Kits)*

Attachment 3, *DNA Sampling - White (New Kits)*

Attachment 4, *Thinking for a Change Peer Support Group*

Attachment 5, *VACORIS Contact Types*

FORM CITATIONS

Travel Permit - In State Travel 050_F3

PCard Change Request 260_F14

Gang/STG Observation Report 435_F1

Gang/STG Observation Report - Tattoo Locator 435_F2
Specialized Instructions for Validated Gang/STG Members 435_F19
*Mental Health Release Summary to Community - DOC MH 9 730*_F9
Sex Offender Special Instructions 735_F18
Change of Address by Registered Sex Offender (SP-236C) 735_F24
Acknowledgement of Restoration of Rights Application Form 820_F14
Substance Abuse Voluntary Admission 841_F9
P&P Urine Test Observation Accommodation Request 841_F21
Instructions for Substance Abuse Services 920_F1
Travel Permit - Out of State 920_F3
Casework Review and Recommendation 920_F5
Consent for Release of Information 920_F8
Case Opening Substance Abuse Screening Acknowledgement 920_F22
Suspected Alien Reporting Form (SP-229) (VSP Website)
Certification of Incarceration Period (Form DC-366)
Restoration of Rights Form (Secretary of the Commonwealth's Office form)