

<p style="text-align: center;"><b>STATE OF VERMONT</b> <b>AGENCY OF HUMAN SERVICES</b> <b>DEPARTMENT OF CORRECTIONS</b></p>	<p><b>Community Supervision</b></p>	<p><b>Page 1 of 43</b></p>						
<p><b>CHAPTER: DISTRICT OFFICES - GENERAL</b></p>	<p><b>#348</b></p>	<p><b>Supersedes:</b> #348, dated 04/03/2023, #340.01, dated 07/01/2015</p>						
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## **Policy #348, Community Supervision**

### **PURPOSE**

This policy outlines the process and practices related to supervision of sentenced individuals in the community under the legal status of community supervision furlough, pre-approved furlough, parole, supervised community sentence, and probation.

### **AUTHORITY**

28 V.S.A §§ 102(c)(14); 202; 205; 353; 403; 723; 724; 808, 808a; 1351 et seq.; APA Rule #94-07, *Supervised Community Sentence*; APA Rule #08-16, *Supervision Fees for Offenders Under Field Supervision by the DOC*

### **POLICY**

The Department of Corrections' (DOC's) policy is to provide the most effective community supervision of individuals based on research and resources available. Supervision intensity is based on the individual's risk to re-offend and the severity of the offense. The foundations of effective supervision are quality risk assessment and the application of appropriate supervision services. The DOC shall apply the least restrictive supervision practices, consistent with the safety of the community, victim, and supervised individual.

The implementation of purposeful interventions and activities distinguishes supervision from mere monitoring and reporting of supervised individuals' activities. Research shows that in order to reduce recidivism and obtain positive results from community supervision, the combination of risk control and risk reduction strategies is far more effective than any one strategy. The framework in this policy guides how the appropriate combination is determined and applied in individual cases.

## Policy #348, *Community Supervision*

### GENERAL GUIDELINES

#### A. Community Supervision Types and Eligibility Requirements

1. Community Supervision Furlough (CSF)
  - a. The DOC may release a person from a correctional facility to community supervision furlough.
  - b. An individual is eligible for release to CSF if they:
    - i. Have served the minimum term of their total effective sentence;
    - ii. Are ineligible or refuse presumptive parole;
    - iii. Have no outstanding warrants, detainers, commitments, or pending charges;
    - iv. Are compliant with risk related requirements; and
    - v. Are not otherwise restricted (i.e., through a case staffing determination).
  - c. Individuals with outstanding warrants, detainers, commitments, or pending charges may be referred to the Case Staffing Determination Committee for release reviews.
  - d. Any individual supervised for sexual offenses otherwise eligible for CSF shall not be released without approval through a case staffing determination. The case staffing shall be held no more than six months prior to release.
  - e. If there are factors that could cause a delay to the release of an eligible individual, the Corrections Service Specialist (CSS) will follow the case staffing determination process.
2. Pre-Approved Furlough (PAF)
  - a. An individual may be placed on PAF to participate in programs administered by the DOC in the community. These programs are designed to reduce the individual's risk to reoffend.
  - b. An individual is eligible for PAF if:
    - i. Field staff conclude the individual is eligible for the program, through an eligibility determination and screening;
    - ii. The individual signs a PAF agreement that sets forth the terms and conditions of the proposed furlough and is approved by the sentencing judge. If the sentencing judge is not available, a Superior Court judge may approve the PAF agreement; and

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- iii. The court sentenced the individual to a term of imprisonment that aligns with the guidelines of the program, and specifically recommends on the mittimus:
      - a) That the individual be placed on PAF; and
      - b) The specific program for which the individual is eligible.
3. Parole: The DOC shall supervise and control persons placed on parole, subject to the rules, orders, and conditions of the Parole Board.
4. Supervised Community Sentence (SCS): The DOC shall supervise persons placed on SCS by the court. The DOC shall set the conditions of supervision in these cases, which are under the authority of the Parole Board for resolution.
5. Probation: A court may suspend all or part of an individual's sentence and place them in the care and custody of the DOC. The DOC shall maintain general supervision of all individuals placed on probation and prescribe rules that govern their conduct and are consistent with any orders of the court.
6. Treatment Furlough: The DOC may place an individual on a treatment furlough, with the approval of the sentencing judge, prior to their minimum sentence date, to attend a DOC-approved residential treatment services not available in a correctional facility.
7. Medical Furlough: The DOC may place a sentenced individual on medical furlough if they are diagnosed with a terminal or serious medical condition that renders them unlikely to be physically capable of presenting a danger to society.

### **B. Supervision Conditions**

1. The DOC shall impose conditions of supervision for each individual on furlough and SCS (see appendices for a list of possible conditions). These conditions are designed to mitigate risk and support the rehabilitation of supervised individuals.
  - a. The DOC standard conditions apply to all individuals on furlough and SCS.
  - b. The DOC special conditions are imposed on a case-by-case basis, based on the risk and needs of the individual. Each special condition shall relate to an assessed criminogenic risk or need area, as indicated by a validated risk instrument or assessment, or directly tied to offense history and public safety.

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- c. All supervised individuals must sign, and agree to comply with, their supervision conditions.
2. The DOC shall monitor and enforce the supervision conditions set by the:
  - a. Court, for individuals on probation; or
  - b. Parole Board, for individuals granted parole.

### **C. Risk Management Supervision**

1. Risk Management Supervision uses risk control and reduction strategies to promote positive outcomes for supervised individuals.
  - a. Risk control strategies are directed at deterring future non-compliance by holding supervised individuals accountable through reprimands. Response strategies to non-compliant behavior could include:
    - i. Warnings;
    - ii. Loss of privileges; or
    - iii. The imposition of more intrusive/restrictive requirements and violations.
  - b. Risk reduction strategies are used to promote future compliance by assisting the supervised individual through:
    - i. Information;
    - ii. Education/training;
    - iii. Counseling;
    - iv. Programming;
    - v. Treatment;
    - vi. Behavioral interventions; or
    - vii. Other needs-reducing services to bring about positive changes in the circumstances that led to the non-compliant behavior.
2. **Risk Management Cases and Services**
  - a. Risk Management cases require, at a minimum:
    - i. Standard and specialized risk assessments; and
    - ii. Case plans to address the supervised individual's risk and required programming.
      - a) Staff shall create a case plan for any furlough case with a risk score of moderate or above;
      - b) Staff shall update case plans whenever:
        - 1) A goal, objective, or intervention has been met or needs to be modified; or

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- 2) When something substantial has changed; and
  - c) Supervised individuals who are not required to have a case plan must have a supervision contract to address the needs and conditions of supervision.
  - b. Services shall be defined and guided by the supervised individual's level of risk and by the conditions set by the court, Parole Board, or DOC.
  - c. All contacts and communication regarding risk management supervision and supervision level adjustments shall be documented in the Offender Management System (OMS).
- 3. Risk Management Supervision Levels**
- a. Probation and Parole Officers (PPOs) shall assign a supervision level in accordance with the Risk Management Supervision Level (RMSL) Grids below for all Risk Management cases.
  - b. PPOs shall use the RMSL grid for individuals who are:
    - i. Currently incarcerated and serving a partially suspended (split) sentence; or
    - ii. Pending violations of probation or parole at the time they are released into the community.
  - c. All risk management cases shall complete the RMSL classification in OMS. Staff may increase contact frequencies at any time but shall not override the RMSL score up for the purposes of increasing contact.
- 4. Risk Management Supervision Level Grids**
- a. Standard Supervision Level Grid: Field staff shall review the type of offense and the individual's score on the Ohio Risk Assessment System (ORAS) to determine the individual's supervision level, using the grid below. There are four levels of supervision: Level 4 uses the highest level of DOC resource allocation, while Level 1 uses the least.

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**Standard Supervision Level Grid**

<b>Offense</b>	<b>Low &amp; Low Moderate ORAS Risk Level</b>	<b>Moderate ORAS Risk Level</b>	<b>High ORAS Risk Level</b>
<b>Listed</b>	(R2)	(R3)	(R4)
<b>Non-listed</b>	(R1)	(R2)	(R3)

- b. Intimate Partner Violence Grids: For the purposes of this policy, intimate partner violence (IPV) means domestic violence offenses in which the victim is an intimate partner. Staff shall supervise all qualifying individuals convicted of IPV based on the appropriate grid below.
  - i. Individuals convicted of committing, or attempting to commit, the following offenses shall be placed on IPV supervision:
    - a) Domestic Assault;
    - b) Stalking;
    - c) Violation of Abuse or Restraining Order against an intimate partner; or
    - d) Any offense where the affidavit indicates that the behavior was IPV in nature and does not fall into one of the above offenses. These cases require supervisory approval for supervision within the IPV RMSL.
  - ii. In cases when the victim is a non-intimate partner (e.g., brother, roommate, etc.), the individual shall be supervised as a standard supervised individual.
  - iii. For males, the grid considers the individual’s score on both the ORAS and the Domestic Violence Screening Instrument (DVSIR).
  - iv. PPOs may score-down females convicted of intimate partner violence with supervisory approval, when the supervised individual (all statuses) has completed required risk reducing programming.



**Male IPV Grid**

ORAS Score	DVSIR Medium	DVSIR High
Low	(D1)	(D2)
Mod	(D2)	(D3)
High	(D3)	(D4)
Very High	(D4)	(D4)

**Female IPV Grid**

ORAS Score	RMSL
Low	(D1)
Low/Moderate	(D2)
Moderate	(D3)
High	(D4)

- c. Grids for Individuals Supervised for Sexual Offenses: Staff shall supervise all individuals supervised for sexual offenses based on the following:
- i. At the initial meeting, the PPO shall assign an individual supervised for sexual offenses to supervision Level 4 for the first 90 days of supervision, for the purposes of determining the number of direct contacts. The PPO shall use the appropriate grid below to determine all other contact requirements (e.g., residence check, collateral contacts, etc.).
  - ii. The local supervision team may decide whether to use GPS monitoring in the first 90 days.
  - iii. After 90 days of supervision, the PPO may adjust the individual’s supervision level by utilizing the Supervision Level Grid for Individuals Supervised for Sexual Offenses, based on their static and dynamic risk scores on the Static-99R and Sex Offender Treatment Intervention and Progress Scale (SOTIPS) score.
  - iv. Individuals supervised for sexual offenses who are returned to incarceration for 90 days or more shall restart their 90-day intensive supervision upon release from a correctional facility.
  - v. Every January and July, the PPO shall review and update the individual’s SOTIPS scores and adjust their supervision level if needed.
  - vi. The PPO shall meet the minimum contact standard, and use their discretion and judgment to determine if the supervised individual needs additional contact.

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- vii. Individuals supervised for sexual offenses shall remain on Risk Management Supervision.
- viii. Juveniles Supervised for Sexual Offenses: If the supervised individual was under the age of 18 when the offense was committed, the PPO shall consult with the appropriate Field Operations Manager to determine the RMSL.
- ix. Child Pornography and other Category “B” Offenses: If the supervised individual’s sexual offenses have been limited to Category “B” offenses, as defined in the Static-99R Coding Manual, the PPO shall use the ORAS Community Supervision Tool (ORAS-CST) score to set the supervision level.
  - a) The ORAS-CST levels shall dictate the supervision level, as follows:
    - 1) ORAS-CST Low = supervision Level 2;
    - 2) ORAS-CST Moderate = supervision Level 3; and
    - 3) ORAS-CST High = supervision Level 4.
  - b) If the supervised individual has a prior Category A sex offense, then the PPO shall rescore the individual with the Static-99R.
- x. Females Supervised for Sexual Offenses: As the DOC’s assessment tools for individuals supervised for sexual offenses are designed for the male population, the local supervision team for individuals supervised for sexual offenses, in consultation with the Risk Intervention Services Manager, shall determine contact requirements for females supervised for sexual offenses. The PPO shall complete the ORAS assessment for these supervised individuals.
- xi. Post-Programming or No-Programming for Individuals Supervised for Sexual Offenses: PPOs shall supervise individuals according to the Supervision Level Grid for Individuals Supervised for Sexual Offenses. The assigned PPO shall complete the SOTIPS themselves for supervised individuals who do not have a program treatment provider.

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**Supervision Level Grid for Individuals Supervised for Sexual Offenses**

Static-99R Risk Scale		SOTIPS Low 0-10	SOTIPS Moderate 11-20	SOTIPS High 21-48
Low	-3 to 1	(S1)	(S2)	(S2)
Moderate Low	2 to 3	(S2)	(S2)	(S3)
Moderate High	4 to 5	(S2)	(S3)	(S4)
High	6+	(S3)	(S4)	(S4)

**Child Pornography and Other Category “B” Offenses**

ORAS Score			
Low	Moderate	High	Very High
(S1)	(S2)	(S3)	(S4)

**5. Treatment Furlough (TF), Medical Furlough (MF), and Residential Treatment**

For supervised individuals released on Treatment Furlough or Medical Furlough, or admitted to a residential treatment facility, the assigned PPO shall:

- a. Make collateral contacts for supervision purposes, while the individual is on TF or MF, or in the residential treatment facility; and
- b. Use the RMSL grid to determine the supervised individual’s supervision level, once the individual has ended their period of treatment and are supervised directly from a probation and parole office.

**6. Courtesy Supervision**

When circumstances require a supervised individual to temporarily relocate to another region, the assigned probation and parole office can request supervision assistance from the probation and parole office that covers the temporary residence.

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- a. In this situation, the supervising officer at the sending field site shall notify the receiving field site of the need for courtesy supervision. Prior to the courtesy supervision beginning, the sending and receiving District Managers (DMs), or designee(s), shall:
  - i. Agree on the need for courtesy supervision; and
  - ii. Identify responsibilities held by each site.
- b. In cases when the individual will be residing in the new region for longer than 45 days, the case shall be transferred to the new probation and parole office.

### **7. Special Circumstances**

DMs may use discretion when setting supervision standards in circumstances when a supervised individual's location does not warrant the contact required by the RMSL grid (e.g., residential treatment facility, hospice/hospital care). This shall be indicated through an override within the RMSL in OMS.

### **8. Contact Standards**

- a. PPOs shall make direct contact with each supervised individual on their caseload as outlined below. A "direct contact" includes the contact activities listed in [subsection 10 of this section](#).
- b. The DOC uses three contact requirement grids to determine the minimum contact standards for supervised individuals direct contacts per month:
  - i. The standard contact grid;
  - ii. A contact grid for individuals convicted of IPV; and
  - iii. A contact grid for individuals supervised for sexual offenses.
- c. Each grid indicates:
  - i. The total minimum number of direct contacts with the supervised individual that must occur; and
  - ii. The minimum number of direct contacts that must occur with the supervised individual in the field (out of the office). These field contacts count toward the total number of required contacts.
- d. PPOs shall ensure the minimum number of required contacts for each supervised individual are met, and shall use their discretion and judgment to determine if individual requires more contact.

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e. Standard Contact Grid

**Standard Minimum Contact Requirements**

<b>Contacts</b>	<b>(R1)</b>	<b>(R2)</b>	<b>(R3)</b>	<b>(R4)</b>
<b>Total</b>	1 per month	2 per month	2 per month	3 per month
<b>Field</b>	N/A	N/A	1 per month	2 per month

- f. Contact Grid for Individuals Convicted of IPV: The DOC makes contact with intimate partners of supervised individuals who were convicted of IPV, to ensure that the relationship is safe.
- i. The assigned PPO shall explain to the supervised individual and their current intimate partner that they will make contact with the intimate partner and that this is a requirement of DOC policy.
  - ii. If the intimate partner does not wish to be contacted, the PPO shall refer them to the local domestic violence organization as a resource. This shall be documented in the contract note in OMS.
  - iii. When considering collateral contacts, the primary collateral contact should be with the individual’s current intimate partner, unless they have declined to communicate with the DOC.

**Minimum Contact Requirements for Individuals Convicted of IPV**

<b>Contacts</b>	<b>(D1)</b>	<b>(D2)</b>	<b>(D3)</b>	<b>(D4)</b>
<b>Total</b>	1 per month	2 per month	2 per month	3 per month
<b>Field</b>	N/A	N/A	1 per month	2 per month
<b>Collateral</b>	N/A	Every 6 months	Every 3 months	1 per month

- g. Contact Grid for Individuals Supervised for Sexual Offenses: The DOC conducts residence checks for individuals convicted of sex offenses as follows:
- i. The frequency of residence checks for is determined by the supervised individual’s level of risk.

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- ii. The PPO or CCO shall document the residence check and all related information in the contact notes section of OMS, including the name, age, and relationship to the supervised individual of all persons living in the residence.
- iii. Staff may contact supervised individuals' neighbors to obtain collateral information.
- iv. When supervising an individuals supervised for sexual offenses who has an actual RMSL assignment of Level S4 (not RMSL Level S4 for initial supervision purposes), staff shall include contact with a close neighbor during the residence check to obtain collateral information on the individual's behavior. If there is more than one close neighbor, staff shall alternate checks, or randomly check with different neighbors.

**Minimum Contact Requirements for Individuals Supervised for Sexual Offenses**

Contacts	(S1)	(S2)	(S3)	(S4)
<b>Total Direct</b>	1 per month	2 per month	2 per month	3 per month
<b>Field Direct</b>	1 per year	Every 6 months	1 per month	2 per month
<b>Treatment Provider</b>	1 per month if still in treatment	1 per month if still in treatment	1 per month if still in treatment	1 per month
<b>Collateral</b>	Quarterly	1 per month	1 per month	2 per month
<b>Reviewed by SO Team</b>	Annually	Every 6 months	Every 6 months	Every 6 months
<b>Polygraph Testing</b>	As Needed	As Needed	As Needed	1 per year for 2 years, then as needed
<b>Record Check</b>	Annually	Annually	Annually	Annually
<b>Residence Verification*</b>	Annually	Annually	Annually	Annually

\* The expectation for residence verification is for staff to complete the process as

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outlined in [Procedural Application, Section D., Residence Approvals, subsection 7., division a.](#) of this document.

### 9. Types of Contacts

- a. There are multiple types of contacts for supervised individuals, including:
  - i. Collateral Contact: Can be attempted, direct, or indirect contact between DOC staff and individuals who know, or are involved with, a supervised individual. These contacts may be risk control- or risk management-focused, and are intended to supplement the direct supervision of the individual and provide critical information about their performance in the community.
    - a) Collateral contacts may include contacts with partners, children, employers, landlords, police, neighbors, community support groups, service providers, State's Attorneys Offices, etc.
    - b) Except for individuals convicted of sex offenses, PPOs shall:
      - 1) Maintain contact with the individual's treatment providers, family members, community support group, and employers; and
      - 2) Exercise their discretion to determine the number of collateral contacts that are needed to supervise an individual.
    - c) Collateral contacts for individuals convicted of sex offenses vary depending on their supervision level.
    - d) Collateral contacts for individuals supervised for IPV offenses shall vary depending on their supervision level. If the individual is in an intimate relationship, the PPO shall contact the partner according to the contact standards above;
  - ii. Management, or Case Co-Management: This is used when staff from multiple sites meet or communicate regarding an individual's case;
  - iii. Supervised Individual Contact: Can either be attempted, direct, or indirect contact between DOC staff with a supervised individual;

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- iv. Record Request: This is used when staff requests a criminal history record check for the individual; and
  - v. TRSP Contact: This field will be used for OMS to automatically update information from the telephone reporting system. This field is read-only and staff shall not add or edit information in this field.
- b. Contacts locations are determined by where the staff member is at the time of the interaction or task completion, including:
- i. Central Office;
  - ii. Correctional facility;
  - iii. Court;
  - iv. Home, when contact is made at the supervised individual's home;
  - v. Other field, when the contact is made in another location in the community;
  - vi. Probation or parole office (P&P Office), when staff is in the office or working from home;
  - vii. TRSP System, will indicate if the contact was a TRSP contact. This field is read-only and staff shall not add or edit information in this field;
  - viii. Treatment site; or
  - ix. Work, when contact is made at the supervised individual's place of employment.
- c. Contact with a supervised individual or collateral person, which takes place outside the probation and parole office is sometimes referred to as a "field contact."
- i. Staff shall conduct field contact as needed to appropriately manage the case.
  - ii. Field contacts are routinely used for individuals on supervision Levels 3 and 4, however staff may conduct field contacts for any supervision level if the situation warrants such contact.

### **10. Direct Contact Activities**

- a. Each direct contact with a supervised individual is an opportunity for the PPO or Community Corrections Officer (CCO) to help motivate the supervised individual toward change. According to research, the quality of contacts, not the number of them, is what can reduce recidivism.



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- b. When conducting a direct contact with a supervised individual, field staff should try to achieve a four-to-one ratio of positive to negative reinforcements. Field staff shall:
    - i. Review the individual's progress on previously established case plan responsibilities and, if necessary, help them adjust;
    - ii. Discuss the individual's progress and involvement in any required programs or services;
    - iii. Review the individual's long term and short-term goals as outlined in their case plan;
    - iv. Discuss the supervised individual's financial situations, including restitution, child support, supervision fees, treatment fees, rent, utilities, etc.;
    - v. Explore any problems or concerns that they are having or that have come to the attention of staff through other means, especially through collateral contacts;
    - vi. Reinforce any individual strengths or positive factors that were identified during the assessment process;
    - vii. Identify and address any thinking errors or discrepancies by the supervised individual;
    - viii. Reinforce pro-social behavior and statements made by the supervised individual with verbal recognition and encouragement;
    - ix. When necessary, set appropriate limits and provide clear direction to the supervised individual;
    - x. Explore the individual's ambivalence to positive change;
    - xi. Elicit self-motivational statements from the supervised individual ;
    - xii. Use effective communication skills, including open-ended questions, reflections, affirmations, and summarizations;
    - xiii. Address all Sex Offender Registry needs and requirements when working with individuals supervised for sexual offenses; and
    - xiv. Conclude by:
      - a) Summarizing and reinforcing any positive progress and behavior; and
      - b) Summarizing any supervised individual responsibilities that need to be completed before the next contact.
11. Staff shall document all contacts in the contact notes section of OMS.

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### D. Risk Control Strategies

1. DOC shall use risk control strategies consistent with the supervised individual's risk to re-offend and offense severity. Risk control strategies are used to lessen the likelihood of negative behavior and to support positive behavior.
  - a. If an individual is displaying risky behaviors, indicating anti-social attitudes or beliefs or other indicators, such as lack of stability or stress, the PPO shall increase the use and intensity of risk control strategies.
  - b. If the individual is displaying pro-social behavior and is compliant with supervision, the PPO shall decrease the use and intensity of risk control strategies.
2. The PPO shall apply risk control strategies commensurate with the supervised individual's supervision level, as well as their progress and behavior during supervision.
3. The PPO shall use professional judgment and discretion when applying risk control strategies.
4. The PPO shall apply risk control strategies that take into consideration the individual's risk profile for direct risks.
5. Electronic Monitoring (EM)
  - a. The DOC may use electronic monitoring to assist in the monitoring of probation, parole, SCS, or furlough conditions to:
    - i. Supplement supervision;
    - ii. Support the release of an individual; or
    - iii. Respond to non-compliant behavior.
  - b. Designated field staff shall review all cases of supervised individuals on EM, to ensure compliance with EM and supervision conditions, and shall document any non-compliance issues in OMS, in accordance with the policy on electronic monitoring.
6. Other Risk Control Strategies  
In accordance with conditions set by the court, the Parole Board, and/or the DOC, the DOC may use other risk control techniques, including:
  - a. Increased contacts;
  - b. Alcohol and drug testing;
  - c. Curfew restrictions;
  - d. Modification of conditions;

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- e. Restriction of associates; and
  - f. Restriction of locations.
7. Case Review and Movement
- a. PPOs shall actively review Risk Management Supervision cases to ensure that the case plans are commensurate with the supervised individuals’ compliance, treatment progress, behavior, and motivation to change, and adjust supervision accordingly.
  - b. There are three ways for an individual’s supervision level to change:
    - i. When scores on risk assessments move an individual to a higher or lower supervision level;
    - ii. For individuals supervised for sexual offenses, the Supervision Team for Individuals Supervised for Sexual Offenses may request approval from the Director, or designee, to lower the individual’s supervision level; or
    - iii. When an individual is transferred to Administrative Supervision.
8. Completion of Risk Management Supervision
- The following grid outlines when a supervised individual may be considered for completion of Risk Management Supervision:

Status	Completion Information
<b>Furlough</b>	All individuals on furlough shall be under Risk Management Supervision for the duration of their furlough. They shall be considered for parole when eligible.
<b>Supervised Community Sentence (SCS)</b>	All individuals on SCS shall be under Risk Management Supervision for the duration of their SCS. They shall be considered for parole or discharge when eligible.
<b>Parole</b>	Individuals on parole shall be under Risk Management until they “max-out” their sentence or are transferred to Administrative Supervision.
<b>Term Probation (Eligible cases)</b>	The assigned PPO shall review the record of each Risk Management probationer serving a specified term during the month prior to the midpoint of that individual’s specified term. The PPO shall file a motion for discharge in accordance with DOC policy on term probation midpoint review. If the individual is not discharged as part of midpoint review, the PPO may submit a request for discharge at a later date, once the individual has met all of their probation conditions.

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<p><b>Further Order of the court, or Ineligible Term Probation (Non-Sex Offense)</b></p>	<p><b>Non-listed Offenses:</b> The DOC may recommend discharge from probation for supervised individuals serving for a non-listed offense when the individual:</p> <ol style="list-style-type: none"><li>1. Has successfully completed all special conditions of probation, and</li><li>2. Has completed at least six months on supervision.</li></ol> <p><b>Listed Offenses:</b> The DOC may recommend discharge from probation for supervised individuals convicted of a listed offense when the individual has fulfilled all of the following:</p> <ol style="list-style-type: none"><li>1. Successfully completed all special conditions of probation;</li><li>2. Has not exhibited risk-related behavior within the last six months;</li><li>3. Received approval from the DM, or designee; and</li><li>4. Completed at least two years on supervision for felony offenses or one year on supervision for misdemeanor offenses.</li></ol>
<p><b>Deferred</b></p>	<p>Staff shall obtain approval from the State’s Attorneys Office prior to recommending a discharge from probation for individuals serving deferred sentences who meet the criteria below:</p> <p><b>Non-listed Offenses:</b> The DOC may recommend discharge from probation for supervised individuals serving for a non-listed offense when the individual:</p> <ol style="list-style-type: none"><li>1. Has successfully completed all special conditions of probation, and</li><li>2. Has completed at least six months on supervision.</li></ol> <p><b>Listed Offenses:</b> The DOC may recommend discharge from probation for supervised individuals convicted of a listed offense when the individual has fulfilled all of the following:</p> <ol style="list-style-type: none"><li>1. Successfully completed all special conditions of probation;</li><li>2. Has not exhibited risk-related behavior within the last six months;</li><li>3. Received approval from the DM, or designee; and</li><li>4. Completed at least two years on supervision for felony offenses or one year on supervision for misdemeanor offenses.</li></ol>

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<p><b>Individuals Supervised for Sexual Offenses Who Are On Probation (Further Order of the Court)</b></p>	<p>DOC staff shall not recommend discharge from probation for individuals supervised for sexual offenses. If a PPO is before the court on a motion filed by the individual regarding discharge, the PPO shall answer questions directed to them, but shall not recommend a discharge from probation.</p>
<p><b>Individuals Supervised for Sexual Offenses Who Are On Term Probation</b></p>	<p>DOC staff shall not file a motion for discharge for probationers serving a sentence for a crime specified in 13 V.S.A. chapter 72, subchapter 1 or 13 V.S.A. § 2602. Term Probation Cases that are not on this list are eligible for midpoint review.</p>

9. Transferring from Risk Management Supervision to Administrative Supervision

The following grid outlines when a supervised individual may be considered for transfer from Risk Management Supervision to Administrative Supervision:

Status	Criteria
<p><b>Individuals Supervised for Sexual Offenses Who Are On Parole</b></p>	<p>Individuals supervised for sexual offenses shall remain in Risk Management Supervision throughout their supervision period, unless transfer is approved by the Director of Field Services, or designee.</p>
<p><b>Individuals On Parole for a Listed Offense</b></p>	<p>An individual on parole supervised for a listed offense is eligible for transfer to Administrative Supervision when the individual:</p> <ol style="list-style-type: none"> <li>1. Has not been found in violation of parole conditions or formally reprimanded by the Parole Board within the past year; and</li> <li>2. Has completed required risk intervention services.</li> </ol>

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<b>Individuals On Parole for a Non-Listed Offense</b>	An individual on parole supervised for (a) non-listed offense(s) is eligible for transfer to Administrative Supervision when the individual: <ol style="list-style-type: none"><li>1. Has not been found in violation of parole conditions or formally reprimanded by the Parole Board within the past six months; and</li><li>2. Has completed required risk intervention services.</li></ol>
<b>Probation</b>	Individuals on probation may be transferred to Administrative Supervision if the court chooses not to discharge them. Individuals supervised for sexual offenses on probation shall remain on Risk Management Supervision throughout their supervision period, unless transfer is approved by the Director of Field Services, or designee.

### E. Administrative Supervision

1. A supervised individual is eligible for Administrative Supervision if they:
  - a. Are on probation and have a Supervision Level Assessment (SLA) score of 11 or less;
  - b. Are not an individual supervised for a sexual offense; and
  - c. Are not on CFS or PAF.
2. Individuals who have been convicted of IPV cannot be supervised on Administrative Supervision directly from court. They must first be supervised on Risk Management supervision and then transferred to Administrative supervision, as outlined in [subsection 9 of Section D., Risk Control Strategies](#) above.
3. Supervised individuals can transition or transfer into Administrative Supervision by being lowered from a Risk Management Level of supervision. When the case is being transferred, both the assigned and administrative PPOs shall have a joint meeting with the individual to facilitate the transfer.
4. Telephone Reporting Supervision Program (TRSP)
  - a. Administrative Supervision is primarily carried out through the TRSP. Telephone supervision allows PPOs to supervise larger caseloads of low and moderate risk individuals, enabling the DOC to allocate resources to supervised individuals whose greater risk or severity of offense are consistent with correctional best practices.

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- b. PPOs assigned a TRSP caseload shall supervise those individuals based on telephone self-report and third-party verification.
- c. The intake process for TRSP participants is critical, as it represents the best opportunity to explain the program rules and expectations to the supervised individual and establish a cooperative attitude toward completion of probation requirements.
  - i. The supervising officer conducting a TRSP intake shall enter a thorough and complete contact note in OMS prior to referring the case to TRSP.
  - ii. When setting TRSP conditions, staff shall set completion dates for each condition.
  - iii. The supervising officer shall explain to the supervised individual that failing to follow through with TRSP expectations or to meet completion deadlines for probation conditions could result in dismissal from TRSP and/or a violation being issued.
  - iv. Staff shall set deadlines for supervised individuals with a treatment requirement by which they must:
    - a) Schedule an assessment;
    - b) Sign releases of information; and
    - c) Complete the minimum recommended treatment.
  - v. Staff shall ensure the proper legal status is in OMS to document the enrollment of a supervised individual in TRSP and upload all related documents in OMS.
- d. Staff shall upload all documents received concerning the completion of requirements by the supervised individual into OMS.
- e. Staff shall document non-compliant behavior in OMS, in accordance with the policy on incident or violation reporting.
- f. Staff may automatically transfer supervised individuals currently on TRSP who continue to meet eligibility criteria to another site. If the individual has a controlling residence condition, staff shall communicate this to the receiving probation and parole office prior to transfer.
- g. Staff may arrest a supervised individual on TRSP provided that arrest actions comply with the appropriate DOC policy.
- h. Staff shall maintain accurate and consistent data in the TRSP and OMS for all supervised individuals on TRSP. This is vital for effective

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- case management and enables the DOC to evaluate program outcome.
- i. Staff may place supervised individuals not eligible for transfer under ICAOS on TRSP for Vermont supervision.
  - j. A PPO who is assigned a TRSP caseload shall comply with the DOC's policy on victim notification.
5. Administrative Supervision Contract Requirements:
- a. Staff shall create a supervision contract for all supervised individuals on Administrative Supervision. The contract shall:
    - i. Address any court-ordered special condition(s);
    - ii. Be defined and guided by the individual's supervision conditions;
    - iii. Outline the individual's responsibilities to comply with their conditions; and
    - iv. Be signed by both the assigned PPO and the supervised individual.
  - b. Staff shall only conduct in-person contacts with supervised individuals on Administrative Supervision to support them in achieving their supervision goals if they are not in compliance with their supervision.
6. The assigned PPO shall conduct a monthly case review to:
- a. Ensure that the conditions of supervision correspond with the supervised individual's compliance, treatment progress, behavior, and motivation to change, and adjust supervision accordingly; and
  - b. Adhere to the Probation Mid-Point Review policy when applicable.
7. Staff may transfer supervised individuals from Administrative Supervision with the approval of the DM, or designee. The DM shall only approve the transfer if the individual's risk poses a threat to public safety.
8. Reparative Probation Condition
- A supervised individual may have a reparative probation condition set by the court. The majority of these individuals will be on Administrative Supervision.
- a. The DMs and the Restorative Justice Executive, or their designee(s), coordinate on eligibility for reparative/restorative conditions of probation.
  - b. DOC shall inform the courts about types of cases that are appropriate for this condition.



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- c. The assigned probation and parole office will coordinate with the appropriate Community Justice Center (CJC) to develop a process to satisfy any imposed reparative or restorative condition.
  - d. Reparative conditions will be documented in the supervised individual’s supervision contract.
9. Completion of Administrative Supervision  
The following grid outlines when a supervised individual may be considered for completion of Administrative Supervision:

<b>Status</b>	<b>Completion Information</b>
<b>Parole</b>	Individuals on parole shall be monitored until they “max-out” their sentence or are discharged early.
<b>Term Probation</b>	The assigned PPO shall review the record of each probationer serving a specified term during the month prior to the midpoint of that individual’s specified term. The PPO shall file a motion to discharge in accordance with DOC policy on term probation midpoint review. If the case is not discharged as part of midpoint review, the PPO may submit a request for discharge at a later date once the individual has met all of their probation conditions.
<b>Further Order of the Court, Ineligible Term Probation (Non-Sex Offense)</b>	<p><b>Non-listed Offenses:</b> The DOC may recommend discharge from probation for supervised individuals serving a for a non-listed offense when the individual:</p> <ol style="list-style-type: none"> <li>1. Has successfully completed all special conditions of probation; and</li> <li>2. Has completed at least six months on supervision.</li> </ol> <p><b>Listed Offenses:</b> The DOC may recommend discharge from probation for supervised individuals convicted of a listed offense when the individual has fulfilled all of the following:</p> <ol style="list-style-type: none"> <li>1. Successfully completed all special conditions of probation;</li> <li>2. Has not exhibited risk-related behavior within the last six months;</li> <li>3. Received approval from the DM, or designee; and</li> <li>4. Completed at least two years on supervision for felony offenses or one year on supervision for misdemeanor offenses.</li> </ol>

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<b>Deferred</b>	<p>Staff shall obtain approval from the State’s Attorneys Office prior to recommending a discharge from probation for individuals serving deferred sentences who meet the criteria below:</p> <p><b>Non-listed Offenses:</b> The DOC may recommend discharge from probation for supervised individuals serving a for a non-listed offense when the individual:</p> <ol style="list-style-type: none"><li>1. Has successfully completed all special conditions of probation; and</li><li>2. Has completed at least six months on supervision.</li></ol> <p><b>Listed Offenses:</b> The DOC may recommend discharge from probation for supervised individuals convicted of a listed offense when the individual has fulfilled all of the following:</p> <ol style="list-style-type: none"><li>1. Successfully completed all special conditions of probation;</li><li>2. Has not exhibited risk-related behavior within the last six months;</li><li>3. Received approval from the DM, or designee; and</li><li>4. Completed at least two years on supervision for felony offenses or one year on supervision for misdemeanor offenses.</li></ol>
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## PROCEDURAL APPLICATION

### A. Community Supervision Intake

1. Administrative staff is responsible for the completion of the following steps during the intake of a supervised individual:
  - a. Take a digital picture on a plain white background, with no board, and import into OMS;
  - b. Enter, or update, the supervised individual’s home address, and work and/or school address(es) as needed, and verify all information on the Booking Info tab in OMS;
  - c. Enter, or update, the individual’s legal status and type;
  - d. Enter, or update, the individual’s charges and charge status as needed;

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- e. Upload, or verify, all case documents, and that they are in each of the relevant charges and counts;
  - f. Print an ID face sheet, and put one copy into the supervised individual's local record; and
  - g. Assign a PPO.
2. The assigned PPO is responsible for the completion of the following steps during the intake of a supervised individual:
- a. Review and explain the following documents to the supervised individual, have the individual sign them, and forward them to administrative staff, as applicable:
    - i. Court orders, probation orders, and agreements as required for the appropriate legal status;
    - ii. Conditions of supervision, for individuals on SCS/CSF or treatment furlough, including the furlough agreement, and provide a copy to the supervised individual;
    - iii. Orientation to ADA;
    - iv. The DOC grievance policy and notice of right to grieve; and
    - v. The financial form/supervision fee work sheet and forward a copy of this form to the assigned administrative staff;
  - b. Collect DNA, if required by statute, and enter the date of collection into all applicable charges in OMS;
  - c. Review Sex Offender Registry requirements, if applicable;
    - i. Complete the Sex Offender Registry Requirement Form; or
    - ii. Complete Sex Offender Registry Update Form.
  - d. The assigned PPO and supervised individual shall sign the Notice – Potential Collateral Consequences of a Conviction;
  - e. Complete the Supervision Level Assessment for all probation cases for placement determinations;
  - f. Request an updated record check including Vermont, NCIC, and any other states the supervised individual reports they resided in, as well as a Department of Motor Vehicles check;
  - g. Refer supervised individuals on PAF or SCS to Risk Reducing Program Orientation or Group;
  - h. For supervised individuals not required to have a case plan, the Supervision Contract must be complete and signed by the supervised individual and the assigned PPO;

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- i. For individuals supervised by TRSP, schedule the initial Reparative Board meeting, if required and possible;
  - j. Enter a contact note documenting the intake, outlining the current offense(s), and the individual's supervision status in OMS; and
  - k. Send required paperwork to the Parole Board for individuals on SCS.
3. For ICAOS cases:
- a. The assigned PPO holds the case until it is accepted by receiving state. Once accepted, the PPO shall document the acceptance in OMS and give the file to the appropriate Community Corrections Program Supervisor (CCPS); or
  - b. For receiving cases, the CCPS shall follow local procedure for assignment of the case.

### **B. Transfers**

All transfers of community supervision cases between field sites are handled by field staff.

1. In order for a supervised individual to be eligible for a transfer to another field site, at least one of the following criteria must apply:
  - a. They were a resident in the receiving field district at the time of sentencing;
  - b. They have a significant history of residing in the receiving district;
  - c. They have resident family residing in the receiving district;
  - d. They have secured verified, full-time, permanent employment in the receiving district;
  - e. They have no ties to any community in Vermont; or
  - f. They have developed an adequate release plan in the receiving district.
2. Staff may deny a community transfer for the following reasons:
  - a. There is a foreseeable risk of harm to the public safety and/or the community due to the location of the proposed residence;
  - b. There is a foreseeable risk of harm to the victim due to the proximity of the proposed residence; or
  - c. There are specific zoning, ordinance, or local government agreements with the DOC which prohibit a supervised individual's residence in the proposed location.
3. Field staff shall document case transfer decisions in the Case Transfer custom form in OMS.

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4. The DM, or designee, shall assign a CCPS to serve as the primary point of contact for managing transfer cases (both incoming and outgoing).
5. The assigned CCPS shall review all transfer requests and approve them as appropriate. A supervised individual must receive such approval prior to relocating to another district.
6. If there is disagreement between the sending and receiving field sites, the CCPS shall send the transfer request to the DMs of both sites to resolve the issue. If resolution is not achieved, the DMs shall refer the transfer request to the Director of Field Services, or designee, for a final decision.

### **C. Out of State Travel and Commuting**

The DOC recognizes the need for supervised individuals to travel out of state from time to time.

1. All travel shall comply with the rules of the interstate compact.
2. Supervised individuals on a furlough status shall be authorized to travel within the United States of America (USA) and its territories for any credible reason, at the DM's discretion.
3. Supervised individuals on a furlough status shall not be authorized to travel outside the USA and its territories.
4. All other supervised individuals who do not have a condition restricting travel shall be authorized to travel within the USA and its territories without travel permits, regardless of their conviction or supervision status.
5. For supervised individuals with a condition requiring the supervising officer to approve out of state travel, DM's may require travel permits for such travel.
6. When approving out of state travel for individuals with a condition restricting travel, field staff shall consider any victim/survivor concerns.
  - a. If a victim/survivor in the supervised individual's case(s) lives in another state, the PPO shall assess any safety issues before approving travel for the individual.
  - b. If the PPO approves travel, they shall notify all victim(s)/survivor(s) in another state who have requested notification.
7. A supervised individual who must register as a sex offender may have a requirement to register with states to which they travel. In cases when the PPO is aware of the travel, the PPO shall contact the receiving state's

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Sex Offender Registry to get registry information and direct the supervised individual to register in the other state upon arrival.

### **D. Compliance with the Interstate Commission for Adult Offender Supervision (ICAOS)**

1. The ICAOS is a formal agreement between member states that contains a set of rules and guidelines for the interstate movement of certain adult supervised individuals, including the procedure for the transfer of the supervision of adults under supervision from one state to another.
2. It is the policy of the DOC to adhere to the ICAOS rules and procedures. The DOC recognizes that adherence to the ICAOS rules results in better supervised individual management and an increased level of public safety. The DOC adheres to all state and federal laws, rules of ICAOS, and Sex Offender Registry requirements when permitting supervised individual travel.
3. DOC staff assigned to work with ICAOS cases shall apply the rules as directed by the Interstate Compact. For rules and directions under the Interstate Compact, staff shall refer to the ICAOS website for details information on the following topics:
  - a. Transfer of supervision;
  - b. Transfer of individuals supervised for sexual offenses;
  - c. Application for transfer;
  - d. Reporting instructions;
  - e. Request for transfer of individuals on parole;
  - f. Notice of arrival and departures;
  - g. Victim notifications;
  - h. Supervision in the receiving state;
  - i. Transfers to a subsequent receiving state;
  - j. Violation reports;
  - k. Closing of supervision;
  - l. Retaking of supervised individuals; and
  - m. Administrative due process hearings.
4. The DOC Deputy Compact Administrator shall:
  - a. Provide training to DOC staff;
  - b. Approve staff access to the Interstate Compact Offender Tracking Systems (ICOTS);

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- c. Provide aid on issues and interpretation of the Interstate Compact rules;
  - d. Adhere to the dispute resolution process outlined in ICAOS rules;
  - e. Ensure that the DOC complies with the Interstate Compact; and
  - f. Act as the only source of communication between Vermont and other states involving Interstate Compact cases. No other DOC staff shall communicate with the sending or receiving state directly.
5. DMs or CCPSs shall:
- a. Assign cases for Interstate Compact investigation;
  - b. Review information sent by the sending state to ensure that it complies with the rules of the Interstate Compact; and
  - c. Ensure that the administrative staff at the probation and parole office enter information into OMS accurately.
6. The PPO shall:
- a. Comply with the rules of the Interstate Compact;
  - b. Ensure all communication with other states involving Interstate Compact cases is through the DOC Interstate Compact Office; and
  - c. Adhere to the time frames indicated by the Interstate Compact rules for all activities involving the Interstate Compact.
7. Relocation: Travel Authorization Under ICAOS
- a. The DOC may issue travel permits to supervised individuals on probation or parole who reside in another state at the time of sentencing, in accordance with the provisions of the Interstate Compact, Rule 3.103.
  - b. If the supervised individual is not a resident of the receiving state, the DOC shall not issue a travel permit allowing them to travel to the receiving state until the receiving state has replied to the transfer request and issued reporting instructions. Staff shall refer to the ICAOS website for rules on issuing travel permits for relocation purposes.
  - c. The DOC shall not issue a travel permit for an individual supervised for sexual offense, as the sending state, until reporting instructions are issued by the receiving state.
  - d. Supervised individuals who do not meet criteria for transfer under ICAOS, who reside out-of-state at the time of sentencing, may be allowed to return to their home state.

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- i. If these supervised individuals request to move to another state while on supervision, they may move to that state.
- ii. All requests to relocate to another state must have the approval of the DM, or designee.
- iii. The assigned PPO shall develop a plan with the individual to allow for long distance supervision and monitoring of their conditions. These plans require supervisor approval, and shall be documented in the “Privilege Granted” or “Privilege Denied” categories of the contact notes section in OMS.

### **E. Residence Approvals**

1. The DOC conducts pre-approvals on residences for supervised individuals with a residence special condition, to ensure that the residences comply with public, staff, and supervised individual safety requirements. DOC also reviews local and state zoning regulations and considers the proximity of proposed residences to identified or potential victims.
2. There are three supervision conditions related to residences for furlough:
  - a. All supervised individuals shall have condition C10, “Before any changes occur in my contact information, I will notify my supervising officer, or designee, with current, accurate contact information so that I can be reached by email, phone, place of employment, mailing address, and/or physical address” applied;
  - b. Condition C12, “I will not enter or inhabit a residence my supervising officer has denied based on risk to the public and/or victim(s),” shall be applied to supervised individuals when there is a risk-related reason to restrict where someone resides; and
  - c. Condition SC22, “I will continue to reside at an approved residence while on supervision,” shall be applied when the risk or needs of the supervised individual require that the DOC determines where the individual will reside.
3. Staff shall complete the following process for any supervised individual with a supervision condition that requires residence approval comparable to the above conditions.
4. At sentencing, the PPO shall review the case and determine which residence supervision condition should be applied at release.
  - a. Staff shall document this determination in the contact notes section in OMS.



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- b. A supervised individual must meet one the following criteria in order to have a condition of SC22 applied:
    - i. A supervised individual for whom a need for transitional housing or residential treatment has been determined through the staffing process;
    - ii. An individual supervised for a sexual offense with a contact offense;
    - iii. A moderate to high-risk supervised individual on supervision for interpersonal partner violence, in which there are increased victim concerns in the absence of this restriction;
    - iv. A supervised individual who scores high risk on any validated risk instrument or assessment;
    - v. A Moderate to high-risk supervised individual with identified victims, deemed a risk to abscond due to absconding or escape history;
    - vi. A supervised individual who does not meet the above criteria, but for whom there is a specific, credible concern to public safety in the absence of this restriction.
      - a) This option is not a catch all condition and must be related to a specific risk to public safety.
      - b) In cases when the supervised individual does not meet any of the other criteria for the SC22 condition, it must be reviewed and determined by District Manager, and approved by the Director of Field Services, or designee.
  - c. If condition SC22 is applied, field staff shall document the justification for this condition in the case plan, under “Restrictions Rationale” in OMS.
5. DOC staff shall start the residence approval process for individuals being released from a correctional facility no later than:
- a. Sixty days prior to release, for individuals being released to furlough; and
  - b. Ninety days prior to release, for individuals being considered for parole.
6. The CSS shall notify the individual that they are required to have their proposed residence verified or approved prior to release and ask the individual where they intend to live. If an individual does not initially

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have a proposed residence to submit, they may submit one for approval at any point prior to release.

7. The CSS shall document the proposed address in the appropriate custom form in OMS and notify the PPO of the proposed address for release.
8. There are two custom forms related to this process in OMS.
  - a. The *Residence Verification and Approval Form* should be used in the vast majority of cases, when condition C10 and C12 are applied. For these cases, staff shall conduct a residence review for the supervised individual 30 days prior to the projected release date. The PPO shall:
    - i. Verify that the residence exists;
    - ii. Contact the adult occupants(s) at the proposed residence to explain the conditions of supervision and ensure the residence does not conflict with other supervision conditions; and
    - iii. Review local and state zoning regulations and takes into consideration the proximity to identified or potential victims.
  - b. The *Full Residence Investigation and Approval Form* should only be used when condition SC22 is imposed. For these cases, the PPO shall:
    - i. Conduct pre-approvals on residences for individuals with a residence special condition to ensure that the residence complies with public, staff, and individual safety requirements.
    - ii. Review local and state zoning regulations and takes into consideration the proximity to identified or potential victims.
9. When reviewing a residence for an individual with the full residence investigation requirement (SC22), DOC field staff shall use the following criteria to determine approval:
  - a. Household members must agree to allow DOC staff access to the residence and property for supervision;
  - b. The residence must allow for safe access by DOC staff;
  - c. The landlord and/or housing authority (if applicable) approves that the individual may reside there;
  - d. There are no weapons at the proposed residence;
  - e. The individual's placement in the residence does not pose a direct risk of harm to:
    - i. Children living at, or in close proximity to, or who regularly visit the residence;
    - ii. The supervised individual's partner, or

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- iii. Other household members;
  - f. The individual's placement in the residence does not pose a direct risk of harm to the victim, or other affected persons;
  - g. The individual's placement in the residence does not violate a special condition of supervision for individuals supervised for sexual or IPV offenses;
  - h. The individual's placement in the residence does not violate any local or town ordinances;
10. When conducting a residence investigation, field staff shall consider the following factors:
- a. If alcohol was a factor in the commission of the crime, there is a documented history of alcohol abuse, or if alcohol becomes an issue during field supervision, DOC staff shall prohibit alcohol in the individual's residence.
  - b. DOC staff shall adhere to the DOC/DCF MOU on Child Protection. Staff shall contact Department for Children and Families to make sure there are no residence concerns.
11. All residence denials and approvals shall be reviewed and approved by the DM, or designee.
12. If staff deny a residence:
- a. The PPO shall notify the DM, or designee, of the negative recommendation.
  - b. The DM, or designee, shall review the PPO's rationale, to determine if any steps, actions, or renegotiations can mitigate the identified concerns, including electronic monitoring.
    - i. If mitigation strategies are identified, the PPO shall carry out those actions.
    - ii. If the DM, or designee, agrees with the denial, the PPO shall enter the denial and rationale in the appropriate form in OMS, and include that mitigation strategies were not available.
    - iii. In cases when the field and facility staff disagree about the appropriateness of a denied residence, the Facility Superintendent and the DM shall attempt to resolve the matter. If they are not able to come to an agreement, they may request the Director of Field Services review the case and make a final decision.

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13. To complete residence approval for supervised individuals on furlough with a zero total effective minimum sentence, DOC staff shall ensure:
  - a. The residence check occurs during the first field visit for individuals convicted of non-listed offenses, if required.
  - b. Individuals convicted of listed offenses report directly to the correctional facility.

### **F. Driving**

The DOC understands that Vermont is a rural state where public transportation is limited. The DOC knows that the ability to drive while on community supervision can be imperative for day-to-day life, as well as to meet case management goals. It is the policy of the DOC to permit supervised individuals to drive while on community supervision, so long as they have a valid license, follow the law, and do not have a special supervision condition that restricts or prohibits driving.

### **G. Financial Obligations**

The DOC is responsible for collecting supervision fees. Staff shall refer to the policy on supervision fees for supervised individuals for more information.

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**APPENDIX  
VERMONT DEPARTMENT OF CORRECTIONS  
CONDITIONS OF SUPERVISION**

**A. Standard Conditions**

The following Standard Conditions are required of all individuals on Furlough and Supervised Community Sentence.

- C1. I will not be cited or charged; I will not commit any act punishable by law, including city and municipal code violations.
- C2. I will report (within 24 hours) any contact I have with law enforcement to my supervising officer, or designee.
- C3. I will not engage in threatening, violent, or assaultive behavior.
- C4. I will report to my supervising officer, or designee, as required.
- C5. I will allow my supervising officer, or designee, to visit me in my home or place of employment or elsewhere at any time, as necessary.
- C6. I will sign a new, or modified, Conditions of Supervision as directed by my supervising officer, or designee.
- C7. I will not possess weapons or firearms.
- C8. I will not leave the State of Vermont without permission from my supervising officer, or designee.
- C9. I will sign any releases, or other documents, necessary for my supervising officer, or designee, to discuss my progress in all of my Department of Corrections required programs, including, but not limited to, alcohol/drug treatment, sex offender treatment, mental health treatment, and risk-reducing and needs based services.

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C10. Before any changes occur in my contact information, I will notify my supervising officer, or designee, with current, accurate contact information so that I can be reached by email, phone, place of employment, mailing address, and/or physical address.

C11. I will be accessible to my supervising officer, or designee, via telephone. If I have a cell phone, I will inform my supervising officer, or designee, that I have a cell phone and will set up voicemail so it can be used by my supervising officer, or designee, to leave me messages. I will check my messages daily and respond as directed.

C12. I will not enter or inhabit a residence my supervising officer has denied based on risk to the public and/or my victim(s).

### **B. Special Conditions**

The following Special Conditions shall be applied on a case-by-case basis and must be based on the risk and needs of the individual. Each imposed condition must be tied to an offender's criminogenic risk and needs area(s), as indicated by a validated risk instrument or assessment, or the condition must be directly tied to offense history and public safety.

SC13. I will not have any contact with my victim(s) through any means (e.g., letters, phone calls, tapes, videos, visits, communications through electronic media including, but not limited to, email, internet contact, texting, tweeting, communications via social media, etc. or any form of contact through a third party), unless approved, in advance and in writing, by my supervising officer, or designee. This includes: [insert victim(s) initials].

SC14. I will participate as directed in community service work, or structured work search as directed by my supervising officer, or designee.

SC15. I will participate in electronic monitoring as directed by my supervising officer, or designee. I will not tamper with any electronic monitoring equipment and will be financially responsible if loss, or damage, occurs.

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SC16. I will not purchase, possess, or consume illegal drugs and/or regulated drugs without a prescription from a licensed health care professional. I will submit to a drug screen or alcohol test as directed by my supervising officer, or designee.

SC17. I will not drink alcohol to the extent that it interferes with my supervision or creates an unsafe situation for myself or others.

SC18. I will submit to searches of my person, residence, vehicles, and belongings, including the contents of my electronic devices for evidence of illegal activity. These searches will be requested based on public safety concerns or reasonable suspicion of illegal activity or violating behavior. These searches will be based on my consent and conducted at the direction of my supervising officer, or designee.

SC19. I will actively seek employment or engage in job readiness courses as directed by my supervising officer, or designee.

SC20. I will not associate with any person identified by my supervising officer, or designee, as someone to whom I am an active risk or who may be an active risk to me (e.g., someone actively engaged in criminal behavior).

SC21. I will refrain from the use of alcoholic beverages while on community supervision furlough due to risk-related charges from the past or present, and/or risk area identified through a validated substance use assessment.

SC22. I will continue to reside at an approved residence while on supervision.

SC23. I will abide by any curfew imposed by my supervising officer, or designee. My curfew is: *[insert curfew]*.

SC24. I will participate in any necessary screening for risk-reducing (e.g. criminogenic risk) and needs-based services to the satisfaction of my supervising officer. I will also complete any recommended services, including residential risk-reducing and needs-based services, deemed necessary by a validated risk instrument or assessment, or determined to be necessary for public safety based on my offense history, to the satisfaction of my supervising officer. This includes the following:

- A. Substance use treatment

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- B. Mental health treatment
- C. Domestic violence programming
- D. Sex offense treatment programming

### **NOTICE**

- 1) While I am on Community Supervision Furlough, I am subject to an arrest warrant pursuant to 28 VSA 808e for absconding supervision issued by the Department of Corrections if:
  - a) I attempt to elude or evade supervision, or
  - b) I leave the state without permission.
- 2) Should I violate this agreement by traveling to any jurisdiction in or outside the US, where I may be found, I hereby waive extradition to the State of Vermont. I will not contest any effort by any jurisdiction to return me to the State of Vermont. I may also be subject to re-payment of the cost of extradition for my return.



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### SPECIAL CONDITIONS AND PROGRAMMING

#### A. Intimate Partner Violence

##### Treatment

SC25. I will attend, participate in, and complete a Department of Corrections recognized program for intimate partner violence risk at my own expense and to the full satisfaction of my supervising officer, or designee.

SC26. I will abide by any Temporary/Final Relief from Abuse Orders and any other Family Court orders that pertain to child visitation and support.

#### B. Sexual Risk-Related Conditions

SC27. I will successfully enroll in, participate in, and complete a treatment program for individuals who have exhibited sexually harmful behavior as directed by my supervising officer, or designee, and as approved by the Department of Corrections, and I will assume the costs of treatment.

SC28. I will execute releases authorizing my sex offender treatment and any other treatment provider(s) to have unrestricted communications with my supervising officer or designee, the State's Attorneys Office, and the Court about my participation in sex offender and any other required treatment, including but not limited to my attendance, level of participation, and information that relates to evaluating whether I have successfully participated in and completed treatment, or in the interest of public safety.

SC29. I will not purchase, possess, or use pornography, or erotica, or go to adult bookstores, sex shops, topless bars, etc., unless approved in advance by my supervising officer, or designee.

SC30. I will not access, or loiter in, places where children congregate (e.g., parks, playgrounds, schools) unless otherwise approved in advance by my supervising officer, or designee.

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SC31. I will not allow any male or female or male and female (check just one box) passengers to ride in my vehicle, unless otherwise approved in advance by my supervising officer, or designee.

SC32. I will not own, possess, or use a camera, recorder, cell phone, or other electronic devices that have recording and/or internet capabilities, without prior permission of my supervising officer, or designee.

SC33. I will give my supervising officer or designee, search and seizure privileges to search my persons and/or property without a warrant and confiscate pornography, erotica, digital media, computer, cellular telephone, iPad, electronic notebook, Smart TV, Smart Watch, etc. or any other item which may constitute a violation of my conditions.

SC34. I will submit to, and pay for, periodic polygraph examinations at the direction of my supervising officer, or designee. These polygraph examinations will be used to determine my compliance with supervision and treatment requirements.

SC35. I will surrender any digital or electronic devices, media, or computers to my supervising officer or designee, for forensic examination, as directed by my supervising officer, or designee. If so directed, I will allow my supervising officer, or designee, to monitor my use of these devices and the internet. I will assume all expenses for monitoring and abide by any computer and internet use contracts if so directed by my supervising officer, or designee.

SC36. I will not initiate or maintain contact with male or female or male and female (select just one) persons under the age of 16 or 18 years, unless otherwise approved in advance and in writing by my supervising officer, or designee. Said contact may require the accompaniment of a responsible adult and approval by my supervising officer, or designee. Contact includes any communications through electronic media encompassing, but not limited to, email, internet contact, texting, tweeting, and communications via social media.

SC37. I will not work or volunteer for any business or organization that provides services to persons under the age of 16 or 18 years (select just one), unless otherwise approved in advance by my supervising officer, or designee.

## **Policy #348, Community Supervision**

SC38. I will not work or volunteer for any business or organization that provides services to vulnerable adults unless otherwise approved in advance by my supervising officer, or designee.

SC39. I will inform any persons identified by my supervising officer or their designee of my conviction(s) and conditions of supervision, and I will inform my supervising officer or their designee of any individuals with whom I have a significant relationship or close affiliation. My supervising officer, or designee, will determine who shall be informed of my offending history and conditions of supervision.

SC40. I will not participate in friendships or relationships with individuals who have children, unless otherwise approved in advance by my supervising officer, or designee.

SC 41. I will not reside where children reside or within 300 feet of where children congregate (e.g., parks, playgrounds, schools) unless otherwise approved in advance by my supervising officer, or designee.

SC42. I will not reside where vulnerable adults reside or where vulnerable adults congregate, i.e., nursing homes, assisted housing, etc., unless otherwise approved in advance by my supervising officer, or designee.

SC43. I will not engage in employment or volunteering unless it has been pre-approved by my supervising officer, or designee.