

Department of Corrections Glossary of Terms

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Numeric

15-Minute Observation: Physical observation of an individual at staggered intervals not to exceed every 15 minutes. (306.01, *Incapacitated Persons*; 362, *Suicide Prevention and Response to Self-Injurious Incarcerated Individuals*.)

30-Minute Observation: Physical observation of an individual at staggered intervals not to exceed every 30 minutes. (306.01, *Incapacitated Persons*; 362, *Suicide Prevention and Response to Self-Injurious Incarcerated Individuals*.)

Accessory: Assisting a person to commit an act prohibited under this directive. (410.01, *Facility Rules and Inmate Discipline*.)

A

Accessory: Assisting a person to commit an act prohibited under this directive. (410.01, *Facility Rules and Inmate Discipline*.)

Activation: The initial process of directing Crisis Intervention resources to the incident site. Superintendents/Incident Commanders request activation through the Facility Director.

ADA Department Director: A Central Department of Corrections employee appointed by the Commissioner who shall be knowledgeable regarding the ADA, and shall be responsible for the implementation of ADA standards. The Director shall also review all staff decisions about an offender request or need for reasonable accommodation that are modified from the original request or denied. (371.01, *Americans with Disabilities Act (ADA)-Facility and Field*.)

ADA Site Coordinator: A Department of Corrections employee at a correctional facility or probation and parole office appointed by the Superintendent or District Manager, who is trained in all ADA requirements and who oversees all ADA issues related to offenders at that site. (371.01, *Americans with Disabilities Act (ADA)-Facility and Field*.)

Ad-hoc ADA Committee: A group of individuals from within and outside the

Department, appointed by the Commissioner to assist and advise the ADA Department Director, as necessary. (371.01, *Americans with Disabilities Act (ADA)-Facility and Field.*)

Administrative Probation: A form of probation outlined in statute for offenders convicted of designated offenses with limited conditions of probation.

Administrative Procedure Act (APA): The State of Vermont statute that defines rulemaking to adopt rules, which, when adopted, have the effect of statute. (403.01, *Security and Compliance Audits – Facilities.*)

Administrative Segregation: (1) A form of separation from the general population when the continued presence of the inmate in the general population would pose a serious threat to life, property, self, staff or other inmates or to the orderly running of the institution. Inmates pending investigation for trial on a criminal act or pending transfer may also be included (370, *Classification, Treatment and the Use of Administrative and Disciplinary Segregation for Inmates with a Serious Mental Illness;*

(2) A form of separation from the general population when the continued presence of the inmate in the general population would pose a serious threat to life, property, self, staff or other inmates or to the security (e.g., escape planning) or orderly running of the institution (e.g., chronic, repetitive discipline problem). Inmates pending investigation for trial on a criminal act or pending transfer may also be included if they pose a threat. (410.03, *Placement on Administrative Segregation;* 410.06, *Restrictive Housing Status, Conditions of Confinement.*)

Administrative Support Services Employees: By State of Vermont Department of Human Resources job classification, individuals in Program Services Clerk, Administrative Assistant A, Administrative Assistant B, and Secretary C jobs. (117.01, *Employee Recognition.*)

Adult Abuse Registry Check: An investigation into whether or not the individual has ever been reported on the Adult Abuse Registry. (122.01, *Employee Selection and Promotion.*)

Advance Directive: A written record executed pursuant to 18 V.S.A. § 9703 that may include appointment of an agent, identification of a preferred primary care

clinician, instructions on health care desires or treatment goals, an anatomical gift, disposition of inmate decedent's remains, and funeral goods and services. Advance directives may include documents designated under prior Vermont law as durable power of attorney for health care or a terminal care document.

Affected Person: Any of the following persons who have been affected by the crime; (a) Jurors; (b) Witnesses; (c) Family members who are not covered by "victim" in this document; (d) Any other persons who demonstrate to the court (or DOC) that the release or escape of a defendant may constitute a threat of physical, emotional or financial injury or death. (502.01, *Victim Notification*.)

After-Action Review: a structured review process for analyzing *what* happened, *why* it happened, and *how* it can be done better by the participants and those responsible for the project or event.

Aftercare: This is a specific phase of a program following the completion of the intensive component. In the aftercare phase the program requirements are reduced, with the expectation that the offender should be practicing the new skills and largely self-managing risk to reoffend.

Agency Supervised Work Site: An offender worksite where a government agency or charitable agency may assume task/site supervision. This arrangement must be approved in advance and the site must meet all Department standards for a community service work site. (424.05, *Community Restitution Program*.)

Alcohol Treatment Professional: A person who practices, as a full or part time employment, the rehabilitation of people who are suffering from alcohol abuse or addiction. The person must be paid for these services and not perform them solely as a voluntary activity.

Alternative Dispute Resolution (ADR): (1) Techniques other than formal appeals or judicial processes that include advanced verbal communication techniques, negotiation, mediation, or other practices to resolve a dispute. (346, *Graduated Sanction Guidelines for Probation Violations*; APA Rule #06-006, *Offender Grievance System*; 410.01, *Facility Rules and Inmate Discipline*.)

Alternative Meal: A alternative to the standard correctional facility master menu

meal that is completely free of meat, poultry, and fish (e.g., meat-based soups, gravies, and gelatin, or grilling using animal fats). (354, *Food Service Operations*.)

Appointing Authority: The person authorized by statute, or lawfully-delegated authority, to appoint and dismiss employees (e.g. Facility Superintendent, District Manager). (122.01, *Employee Selection and Promotion*.)

Approved Restraint Devices: Restraint devices in the form of handcuffs, leg irons, waist chains, black boxes, and flex cuffs which are reviewed and approved by the Facilities Executive and/or the Director of Security, Operations, and Audits. (406.01, *Inmate Instate Transportation –Facilities*.)

Approved Substance Use Treatment Program: A treatment program which is approved by the Secretary as qualified to provide treatment for substance use. (306.01, *Incapacitated Persons*.)

Assault: Any action which brings about a harmful or offensive contact to another person. (410.01, *Facility Rules and Inmate Discipline*.)

Assault upon a DOC staff member: any violent physical contact in which an individual or group member intentionally causes bodily harm and/or injury to a DOC staff member.

Associated Case Information: Standardized contact information related to case narratives to provide context. Examples of associated case information are dates, times, and personal IDs (such as employee name, codes, and work site.)

Attempt: Conduct which is likely to result in an act prohibited by this directive. (410.01, *Facility Rules and Inmate Discipline*.)

Audit Team (Auditors): A group of Department of Correction’s employees appointed by the Chief of Operations to conduct security/compliance audits at all correctional facilities. (403.01, *Security and Compliance Audits – Facilities*.)

Author: The person who writes the narrative case information or enters other associated case information.

Automated Bail Receipt Form: A bail receipt that shall automatically trigger a notification through VANS that the offender is about to make bail. The Automated Bail Receipt may be accessed through the DOC database. (502.01, *Victim Notification.*)

Automated Information System: An assembly of computer hardware, software, firmware, or any combination of these, configured to accomplish specific information-handling operations, such as communication, computation, dissemination, processing, and storage of information. Included are computers, word processing systems, networks, or other electronic information handling systems, and associated equipment. Management information systems are a common example of automated information systems. This assists in gathering information. (257.01, *Computer User Security Responsibilities.*)

Auxiliary Aids and Services: Includes, but is not limited to, telecommunication devices for the deaf, hard of hearing, and visually impaired (e.g., TDD/TYY, closed caption video as necessary and appropriate, Braille, audio technology, large print); a qualified interpreter or an interpreter who demonstrates proficiency adequate to the task; providing a reader or note taker; use of an elevator by mobility-impaired offenders to enable access to programs; delivery of packages to offenders who are in areas that are inaccessible to those in wheelchairs or who have mobility impairments; and modification or acquisition of adaptive equipment and devices. (371.01. *Americans with Disabilities Act (ADA)-Facility and Field.*)

Awards Approval Committee: A Commissioner-appointed Department of Corrections' employee committee with at least five (5) members, for the purpose of reviewing and selecting candidates for recommendation to the Commissioner, who have been nominated for annual Department of Corrections' awards. (117.01, *Employee Recognition.*)

B

Bail: Any security, including cash, pledged to the court to ensure that a person charged with a criminal offense will appear at future court proceedings.

Bank Check: A check drawn from a bank, but not from an individual's account at the bank. The money is guaranteed by the bank; e.g., cashier's check, official bank check, demand draft. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations.*)

Barricaded Subject: A person who is barricaded and is reasonably believed to be a threat by their actions which could lead to them committing harm to themselves and/or to other inmates/staff.

Black Box: A lockable cover designed to limit tampering with a handcuff locking mechanism. (406.01, *Inmate Instate Transportation – Facilities.*)

Body Armor: A concealable vest worn to assist in protection of the wearer against serious injury or death due to the offensive use of firearms and to provide additional trauma protection during vehicle crashes. (422.02, *Body Armor – Field.*)

Booking: A process of admitting or discharging an individual from DOC custody. (326.01, *Housing of Individuals Under 18.*)

Business Days: Monday through Friday, excluding weekends and recognized State holidays. APA Rule #06-006, *Offender Grievance System*

C

CAA: Client Authorized Activator. Staff members who are authorized to activate the community emergency notification lists. (26.05, *Community Emergency Notification.*)

Calculated/Planned Use of Force: The use of force in situations where time and circumstances allow for consultation with qualified health care and mental health professionals and approval by higher ranking employees, and where there is some opportunity to plan the actual use of force. (413, *Use of Force.*)

Capsicum: Any solanaceous plant of the genus capsicum, occurring in many pepper varieties of the garden, that has pungent seeds ranging from mild to hot, enclosed in a podded or bell shaped pericarp. (413.01, *Use of Force.*)

Case Documentation: A form of correctional documentation that contains both narrative and associated case information, and documents case activity. Examples of case documentation include, but are not limited to, case notes, parole summaries, graduated sanction reports, incident reports, case summaries, violations, and revocations.

Case Information: Documents, electronic files, forms, notes, reports, assessments, plans or data in any form whether reduced to print, microfiche, photograph, video or audio/visual tape recordings, that pertain to a specific person currently or formerly under the supervision of the Department, or currently or formerly confined in a department of corrections facility. Case information does not include such confidential information as medical or mental health records, education records, or treatment records.

Case Note: An electronic note pertaining to an offender's case written by Caseworkers, Probation Officers, supervising staff, or other staff with relevant information, which documents activity relating to that offender. Examples include, but are not limited to, details about a meeting with an offender, notes on a phone call with a victim or another staff person, recording that the offender called the Social Security Administration regarding transition planning, results of an alco-sensor, results of a case staffing, or pertinent information which may influence case planning or case status.

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

Case Staffing: Review of pertinent case plan information by Department of Corrections facility, probation and parole, and central office staff in order to make decisions about appropriate custody level, furlough status, programming, direct community placement, release sensitive notification (RSN), community notification, level "C" designation for offenders convicted of listed offenses, and sex offender releases and parole recommendations. (371.29, *Community Notification for High Risk Offenders.*)

Case Staffing Form: A form used by correctional staff to document a request to

have a case staffing with designated authorities to determine appropriate custody levels, furlough status, programming, direct community placement, release sensitive notification (RSN), community notification, level "C" designation for offenders convicted of listed offense, and sex offender releases and parole recommendations. Details on the form include offender name, legal status, probation and parole office site, convictions, sentence, date of request, a rationale for the request, and a recommended case staffing result. (371.29, *Community Notification for High Risk Offenders.*)

Central Office: The location of the Commissioner and Directors of the department's divisions. (414.03, *Emergency Preparedness.*)

Certified Trainers: Qualified personnel who are approved by the Academy Administrator to instruct specific training courses. (106.05, *Vermont Correctional Academy.*)

Chain of Command: Line of reporting authority (APA Rule #06-006, *Offender Grievance System.*)

Chain of Custody: A process to control and document the security and handling of contraband and physical evidence, including, but not limited to, evidence that may be used in a criminal proceeding. (408, *Contraband*; 409.05, *Inmate Mail, Publications, and Audio/Video Regulations.*)

Chain of Custody Label: A form printed on an evidence bag, adhesive sticker, or tag that contains: date and time of collection, name and title of individual collecting the evidence, where the evidence was found, specific description of the evidence (e.g., when more than one item of the same type is contained in a bag or container, the number included such as "10 pages" or "15 pills" is listed), and chain of custody, including ALL individuals who handled the evidence, in order of possession. (409.08, *Crime Scene Preservation and Evidence Collection – Facility.*)

Charged Case: Charged cases include completed investigations accepted for prosecution by the appropriate prosecuting authority, resulting in the filing of criminal charges in court or other disciplinary proceedings. (409.08, *Crime Scene Preservation and Evidence Collection – Facility.*)

Chemical Agent: (1) Chemical compounds that, when deployed, are designed to cause sufficient physiological effect to stop, control, or temporarily immobilize an individual. Common chemical agents are OC (oleoresin capsicum) and CS (Ortho-Chlorobenzalmalononitrile). (413, *Use of Force*.)

Chemical Agent Devices: Chemical agent devices consist of three (3) categories: (1) Category I devices are hand held aerosol dispensers; (2) Category II devices are limited to the OC pepper ball delivery system; (3) Category III devices consist of all methods of administration of chemical agents other than Category I and II devices; e.g. munitions fired from a gas gun. (413 *Use of Force*.)

Child Abuse Registry Check: An investigation into whether or not the individual has ever been reported on the Child Abuse Registry. (122.01, *Employee Selection and Promotion*.)

Circles of Support and Accountability (COSA) Team: A group of three to five trained community volunteers who work with a person coming out of prison (the core member) for a minimum of one year. (501.03, *Circles of Support and Accountability (COSA) Teams*.)

Classified Employee/Position: Any person who is paid salary or wage for work performed in a permanent position in the State Classification plan. Except as otherwise indicated, all employees referred to herein are deemed to be classified employees. (122.01, *Employee Selection and Promotion*.)

Clinical Support: A contractual or state employee who is a licensed clinician whose primary role is to support the wellness of department employees and if required will respond to critical incidents to support affected DOC staff members cope and respond to trauma.

Dry Cell Status: The placement of an inmate in a room or cell for close observation until the inmate has voided the contraband or until sufficient time has elapsed to preclude the possibility that the inmate is concealing contraband. (; 409.01, *Searches*.)

CN - Chloroacetophenone (CN): Is a liquid with an apple blossom odor that is non-combustible. CN is an irritant that acts in a similar manner to CS such as

cause heavy tearing and effects the mucus membrane. In large quantities, it can produce nausea. (413, *Use of Force.*)

Collateral Contact: This is a direct or indirect contact between DOC Staff and individuals who know or are involved with the offender.

Collateral Interview: An interview by the PSI Investigator with family members, friends, employers or others who have or have had a relationship with the defendant. These interviews are used to verify the accuracy and honesty of the defendant's information, and to add important additional information about the defendant's life, therefore strengthening the overall usefulness and reliability of the investigation. If possible, information from the interviews should be incorporated into the different sections of the PSI Report (see Attachments 1 & 2.) (342, *Legal Reports: Presentence Investigations (PSI), Intermediate Sanctions, Pre-Releases, and Pardons.*)

Columbia Suicide Severity Risk Scale (C-SSRS): A screening tool used to support suicide risk assessment through a series of simple, plain-language questions that anyone can ask. The answers help users identify whether someone is at risk for suicide, assess the severity and immediacy of that risk, and gauge the level of support that the person needs. (362, *Suicide Prevention and Response to Self-Injurious Incarcerated Individuals.*)

Commercially Published Information or Material: Any book, booklet, pamphlet, magazine, periodical, newsletter, photograph or other pictorial depiction, or similar document, including stationery and greeting cards, published by any individual, organization, company, or corporation, which is distributed or made available through any means or media for a commercial purposed. This definition includes any portion extracted, photocopied or clipped from such items. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations.*)

Community Emergency Notification Lists: A list of community members, neighboring correctional facilities, and others to be determined by the superintendent, to be notified in the event of an emergency. (26.05, *Community Emergency Notification.*)

Community Liaison Committee: A board of community members, examples of

membership are local and State Police representatives, State Representatives, City/Town Clerk and coordinated by the Superintendent. (26.05, *Community Emergency Notification.*)

Community Notification Plan: A plan devised to provide notice to affected persons, Law Enforcement Agencies, and other relevant parties when high risk offenders are released from incarceration. (371.29, *Community Notification for High Risk Offenders.*)

Community Partner: A municipal entity or non-profit organization funded to provide COSA Teams. (501.03, *Circles of Support and Accountability (COSA) Teams.*)

Community Placement Address or Home Address: the actual residence of an offender who is living in the community while being supervised by the department. (256, *Community Notification.*)

Community Restitution Program: (1) A Department intermediate sanction program in which an offender performs community work service on a Community Service Team or agency- supervised team. The program is designed to be an alternative to a short incarcerative sentence. 2) An intermediate sanction program in the reparative track in which an offender performs community work service on a Community Service Team or agency supervised team. The program is designed to be an alternative to a short incarcerative sentence. (426, *Supervision Fees for Offenders under Field Supervision by the DOC.*)

Community Service Teams: A group of offenders on community-based sanctions, working as part of the Community Restitution Program, supervised by a trained DOC team leader (CSTL). Offenders (who work without pay) participate on the service team as a way of making amends to the community for their criminal conduct. (424.05, *Community Restitution Program.*)

Community Service Team Leader (CSTL): (1)A Department of Corrections employee who supervises offenders assigned to the Community Restitution Program. (2) A Correctional Officer role in community service and work crew supervision in either a facility or work camp, or in the Community Restitution Program in the field. A CSTL trains and supervises offenders, as well as educating

and developing contracts with community agencies and non-profit organizations. (106.06, *Academy Field Training Officer (FTO) Program*; 424.05, *Community Restitution Program*.)

Community Supervision: Oversight of an offender in the Department's custody in the community where the offender is released from a correctional facility into the community under conditions established by the Department. (502.01, *Victim Notification*.)

Community Supervision Furlough: An intensive community-based custody status imposed by criminal courts and supervised by the Vermont Department of Corrections.

Commuting Offenders: Offenders on probation, parole or SCS who are employed in another state and travel to and return from that state each day. Their travel permits must be approved by the District Manager or designee, not to exceed 30 days.

Compact: The Interstate Compact for Adult Offender Supervision (ICAOS).

Compact Administrator: The individual in each compacting state appointed under the terms of this Compact and responsible for the administration and management of the state's supervision and transfer of offenders subject to the terms of this Compact, the rules adopted by the Interstate Commission of Adult Offender Supervision, and policies adopted by the State Council under this Compact.

Compact Commissioner: The voting representative of each compacting state appointed under the terms of the Interstate Compact for Adult Offender Supervision as adopted in the member state.

Compassionate Leave Furlough: The approval of an inmate to leave a correctional facility for a short period of time to attend a funeral of a relative or visit a critically ill relative. Inmate remains on the facility headcount. (372.03, *Compassionate Leave*.)

Compelling Governmental Interest: Overriding concerns of the Department of

Corrections that must be addressed, using the least restrictive means, regardless of other issues or requests. These include, but are not limited to, safety, security, health, and discipline. (380.01, *Religious Observance- Facilities.*)

Compliance Check: An investigation into an individual's compliance in meeting their tax liabilities. (122.01, *Employee Selection and Promotion.*)

Conditions of Release: Court-ordered terms of conduct with which a person charged with a crime must comply as a condition of their release from incarceration prior to trial. (326.01, *Housing of Individuals Under 18.*)

Confidential Informant: A source of information whose identity must remain confidential for security or safety reasons. (410.01, *Facility Rules and Inmate Discipline*; 410.03, *Placement on Administrative Segregation.*)

Confiscate: (1) To remove and/or seize an item or that portion of an item, which violates the rules, or which is not authorized to be in the possession of an inmate.

Conspiracy: Agreeing with one or more persons to participate in an act prohibited by this directive and any one of those people's acts in furtherance of the conspiracy. (410.01, *Facility Rules and Inmate Discipline.*)

Constant Observation: Continuous physical observation of an individual. (306.01, *Incapacitated Persons*; 362, *Suicide Prevention and Response to Self-Injurious Incarcerated Individuals.*)

Consular Officer or Consul: A citizen of a foreign country employed by a foreign government and authorized to provide assistance on behalf of that government to that government's citizens in a foreign country. (315.02, *Foreign Nationals.*)

Contact Standards: The minimum contact standard for the number of offender direct contacts per month. There are three contact requirement grids, standard offenders, domestic offenders, and sex offenders.

Contact Visit: A meeting between an inmate and a visitor which is not separated by a screen or solid glass partition. (327.01, *Inmate Visits.*)

Continuance: (1) The re-scheduling of a hearing date. (2) Postponement of a hearing for good cause shown either by the Department or the inmate. (410, *Due Process*; 410.01, *Facility Rules and Inmate Discipline*; 410.03, *Placement on Administrative Segregation*.)

Contraband: (1) Anything not authorized to be in an inmate's possession; used in an unauthorized or prohibited manner, altered in any way; or in excess of allowable limits. (2) An item used by an inmate in an unauthorized or prohibited manner or altered in any way; property in excess of allowable property limits; any item that an inmate, staff person, volunteer, or contractor is not specifically authorized to have in their possession in a correctional facility, and/or anything that can pose a danger or risk to the safety and security of staff, the facility, or public. (321.02, *Inmate/Offender Claims – Facility and Field*; 409.05, *Inmate Mail, Publications, and Audio/Video Regulations*; 410.01, *Facility Rules and Inmate Discipline*.)

Contracted Work Site: An agency supervised work site where the cost of supervision is shared between the DOC and the government or charitable agency.

Contraindication: Something (such as a symptom or condition) that makes a particular treatment or procedure inadvisable. (410.01, *Facility Rules and Inmate Discipline*; 410.03, *Placement on Administrative Segregation*; 413, *Use of Force*.)

Control Advantage: The approach to a potential conflict situation where an assessment is made by staff to ensure that training and staff members assure the likelihood that if a physical control/restraint is used, the staff would safely prevail. (413, *Use of Force*.)

Conviction: A judgment of guilty following a verdict or a finding of guilt, a plea of guilty, or a plea of nolo contendere to the criminal laws of this state. (256, *Community Notification*.)

Core Member: The offender returning to the community from incarceration who is involved with the COSA Team and Community Partner. (501.03, *Circle of Support and Accountability (COSA) Teams*.)

Correctional Academy Administrator: A fulltime classified employee responsible

for all phases of the Academy, who works under the direction of the Department's Director of Human Resource Development. The Academy Administrator shall serve as the appointing authority for those enrolled in the residential aspect of the program. (106.05, *Vermont Correctional Academy.*)

Correctional Facility Shift Supervisor: The staff member who is responsible for the security of the institution, the care and custody of all inmates housed in the institution and the supervision of all security staff during a given tour of duty. May be responsible for institutional operations during the absence of higher-ranking staff. (413, *Use of Force.*)

Correctional Officer: Any Correctional Facility Shift Supervisor, Correctional Officer I or II, or Community Correctional Officer.

Correctional Officer Trainee: A newly-hired Correctional Officer enrolled in both the residential and field training components of the Vermont Correctional Academy. (106.06, *Academy Field Training Officer (FTO) Program.*)

Corrections Services Specialist (CSS): a staff role both in facilities and field offices, also referred to as Caseworker (facility) or Probation/Parole Officer (PO in the field). Field and facility Corrections Services Specialists share responsibility for case co-management for offenders assigned to their caseload. (502.01, *Victim Notification.*)

Correctional Supervision: Exerting custody and control of an offender consistent with their legal and custody status.

Corrections Training Advisory Board: A Commissioner-appointed group whose members meet periodically to assist the Academy Administrator to plan, review, evaluate, and recommend training plans and courses. (106.05, *Vermont Correctional Academy.*)

Corrective Action Plan: A plan by a facility to address any deficiencies discovered in a security/compliance audit. (403.01, *Security and Compliance Audits – Facilities.*)

Counseling Notes: Written comments by DOC employees or health care providers

in an offender's mental health records that document the author's hypothesis or opinion about an offender's behavior for future evaluation by the author, and are written solely for the author's future evaluation.

Courtesy Supervision: where a site (receiving) assists in the supervision of an offender who is assigned to another site (sending).

Criminal Background Check: An investigation into an individual's criminal history. (122.01, *Employee Selection and Promotion.*)

Criminal Court: Criminal Division of the Vermont Superior Court. (Interim Procedure: *Youthful Offender Status.*)

Criminal History: Records in the possession of the department that pertain to any past criminal offense(s), conviction(s), or sentence(s) of any offender currently on furlough. (256, *Community Notification.*)

Criminal Justice Entities: Any entity authorized to engage in community policing, or any entity established, in whole or part, with any public monies for the purpose of addressing community safety, prevention of crime, rights, and needs of victims, or the reintegration of offenders. (256, *Community Notification.*)

Criminal Physical Evidence: Any item or substance required to substantiate or challenge any criminal charge or be presented at a due process hearing.

Criminogenic Need Areas: Offender need areas, which are related to criminal conduct and which, when addressed in correctional treatment, reduce the overall or specific risk for recidivism. Substance abuse is an example of a criminogenic need; low self-esteem is not.

Crisis Intervention: Use of verbal and psychological skills to assist in the resolution of hostage situations, barricaded inmates, attempted suicide, and other critical incidents. The Crisis Intervention Team may be used to gather and compile tactical intelligence for the Incident Commander.

Critical Incident: Any incident which involves a hostage-taker, barricaded subject or potential suicide victim.

Critical Incident Stress Debriefing: A process that prevents and limits the development of post-traumatic stress in people exposed to critical incidents. Professionally conducted de-briefings by peer supporters help people cope with and recover from an incident's aftereffects.

CS - Orthochlorobenzalmalononitril: Is a white crystalline solid with a peppery smell that is combustible. CS is an irritant that effects the eyes, skin, and mucus membrane, and respiratory system.

Custody: Under continuous escort or continuous physical control of: (1) Vermont Department of Corrections' employees; or (2) volunteers; or (3) contracted employees of the Department of Corrections. (502.01, *Victim Notification*.)

D

Daily Observation Report (DOR): A standardized report completed during the pre- and post- Academy training by the Field Training Officer (FTO) which reflects their observation of trainee performance in critical job areas. (106.06, *Academy Field Training Officer (FTO) Program*.)

Dangerous Behavior: (1) Assaultive behavior of all kinds including, but not limited to, striking, pushing, kicking, biting, spitting or throwing bodily fluids or feces. (2) Any behavior that causes a situation where there is a risk of injury to staff or others. (413, *Use of Force*.)

Dangerous Instrument: A weapon or any other unauthorized object or substance which may cause physical injury or death under the circumstances in which it is possessed, used or attempted or threatened to be used, or is capable of being used. (410.01, *Facility Rules and Inmate Discipline*.)

Day: A weekday, excluding federal or state holidays. (256, *Community Notification*.)

Day Travel: Travel by an offender where they are out-of-state less than 12 hours and not overnight.

DCF Emergency Services Program: A program that deals with all after-hours emergencies when district offices are not open during regular business hours. This program may be accessed by calling the Child Protection Line at 1-800-649-5285.

DCF Master Index: A database that tracks the general activity of all cases in which DCF has been involved. It includes both substantiated and unsubstantiated child maltreatment allegations, as well as the type of case (delinquency, unmanageable, open child protection cases, custody cases, etc. prior to and since January 1, 1992). It is an instrument, which enables DCF to get a fuller picture of the people they are dealing with.

Deadly Force: Force that creates a substantial likelihood of causing serious bodily injury or death (413, *Use of Force*.)

Delegation: the condition where a specific responsibility and authority is assigned to another position to conduct specific business. Delegations must be in writing. Persons to whom authority has been delegated shall sign documents with their own name and title. (05, *Lines of Authority*.)

Delete: To permanently remove an entire case note whose content is duplicated, predominantly incorrect, or unprofessional, which may only be done by a supervisor.

De Minimus Fringe Benefit: A benefit that, considering its value and the frequency with which it is provided, is so small as to make accounting for it unreasonable or impractical. This includes such items as flowers, books, occasional tickets for entertainment events, etc. (117.01, *Employee Recognition*.)

Demonstrative Prayer: Overtly religious conduct that unduly imposes on others in a facility. (380.01, *Religious Observance-Facilities*.)

Department for Children and Families (DCF) Child Protection Registry: A list of individuals who have a substantiated report for child abuse from January 1, 1992 to the present.

Department of Mental Health: A department of the Vermont Agency of Human Services, which is charged with the responsibility of the general quality and delivery of services for the mentally ill and developmentally disabled throughout Vermont.

Department of Public Safety (DPS): A State of Vermont Department that houses the Vermont Crime Information Center which is responsible for overseeing the Sex Offender Registry. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

Designated Agency: Private, nonprofit, community-based organizations in Vermont that provide care to individuals with developmental disabilities, mental health conditions, and substance use disorders. (315, *Healthcare Services.*)

Designated Substance Use Disorder Counselor: A person approved by the Secretary to evaluate and treat substance users, pursuant to the provisions of this chapter. (306.01, *Incapacitated Persons.*)

Designation: a condition where the authority of another position is either formally assigned to or temporarily assumed by another position. When a designee signs any document he shall sign his own name and indicate his designated position. Any responsibilities or authority assigned by policy to a specific position is automatically assumed by his designee in his absence. (05, *Lines of Authority.*)

Detainee: A person committed to the Commissioner of Corrections by the court or other authorized person or entity, who is confined in a correctional facility until he/she is sentenced or released. (502.01, *Victim Notification.*)

Detoxification: The planned withdrawal of an individual from a state of acute or chronic intoxication, under qualified supervision with or without the use of medication. Detoxification is monitoring and management of the physical and psychological effects of withdrawal, for the purpose of assuring safe and rapid return of the individual to normal bodily and mental functioning. (306.01, *Incapacitated Persons.*)

Digital or Simple Instrument Search: Inspection for contraband or any other

foreign items in a body cavity of an inmate by use of fingers or simple instruments, such as an otoscope, tongue blade, short nasal speculum and simple forceps. (409.01, *Searches*.)

Disability: With respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment. (1) Physical or mental impairment: Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities; The phrase physical or mental impairment includes, but is not limited to, such contagious and non-contagious diseases and conditions as orthopedic, visual, speech and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; diabetes; mental retardation; emotional illness; specific learning disabilities; HIV disease (whether symptomatic or asymptomatic); tuberculosis; drug addiction, and alcoholism; The phrase physical or mental impairment does not include homosexuality or bisexuality; Major life activities: Functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; Has a record of such an impairment: Has a history of, or has been classified as having, a mental or physical impairment that substantially limits one or more major life activities; Is regarded as having an impairment: Has a physical or mental impairment that does not substantially limit major life activities but that is treated by a public entity as constituting such a limitation Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment or, Has none of the impairments defined in paragraph 1 of this definition, but is treated by a public entity as having such an impairment; The term disability does not include: transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders; (though not a disability, Vermont State law prohibits discrimination on the basis of sexual orientation or gender identity.) Compulsive gambling, kleptomania, or pyromania; Psychoactive substance use disorders resulting from current illegal use of drugs; Limited English proficiency (covered by

Agency of Human Services Policy #1.02; See Attachment 6.) (371.01, *Americans with Disabilities Act (ADA)-Facility and Field.*)

Disciplinary Committee: (1) A body of three qualified and trained staff persons appointed by the Superintendent by name. At least two members equals or constitutes a quorum for imposition of discipline. (410, *Due Process*; 410.01, *Facility Rules and Inmate Discipline.*)

Disciplinary Segregation: A form of separation from the general population in which inmates committing serious violations of conduct regulations are confined for short periods of time to individual cells separated from the general population. Placement in disciplinary segregation may occur only after find of a rule violation at an impartial hearing and when there is not an adequate alternative disposition to regulate the inmate's behavior. (370, *Classification, Treatment and the Use of Administrative and Disciplinary Segregation for Inmates with a Serious Mental Illness*; 410 *Due Process* 410.01 *Facility Rules and Inmate Discipline*; 410.03, *Placement on Administrative Segregation*; 410.06, *Restrictive Housing Status, Conditions of Confinement.*)

Disposition Case Plan: A report filed by DCF that contains: (1) recommendation as to whether youthful offender status is appropriate for the youth. (2) a disposition case plan, including proposed services and proposed conditions of juvenile probation in the event youthful offender status is approved, and (3) a description of the services that may be available for the youth when he or she reaches 18 years of age. (*Interim Procedure Youthful Offender Status.*)

DNR (Do not resuscitate): (1) A document completed by an individual with a medical provider that indicates the individual's refusal of resuscitation efforts. (315) *Healthcare Services*; (2) A patient-generated document that directs health care providers not to attempt resuscitation. (353, *Terminal Illness and Inmate Death – Facilities.*)

Domestic Violence Screening Instrument Revised (DVSI-R): The DVSI-R is designed to assess the risk of repeated domestic violence in the future based on information available at the time of use. The DVSI-R shall be administered upon initial meeting with assigned DV Risk Management Field CSS or assigned Facility CSS.

Donation: Department-approved contributions to inmate programs/activities. (380.01, *Religious Observance-Facilities.*)

Drug Use: The use of a drug (either licit or illicit) in sufficient quantity and frequency to interfere with a person's ability to make sound life decisions, perform appropriate actions, and fulfill responsibilities with the result that the person is unable to be a law abiding and self- supporting individual.

Dry Cell/Room: A cell/room equipped with lighting and proper ventilation, which prevents the disposal of human waste material or contraband through flushing, drains, or trash. (409.04 *Inmate/Offender Drug Testing.*)

Dual Citizenship: Legal status of an individual who maintains citizenship in more than one country.

Dwelling: Any location owned or rented by the offender or an apartment or residential space owned or leased by the department, in which an offender is housed, other than a correctional facility named as such. (256, *Community Notification.*)

Dynamic Risk Factors: Those risk factors which are subject to change (e.g. Substance abuse) and which, when successfully treated, are associated with lowered recidivism rates.

E

Effective Communication: Means communication with individuals who have hearing disabilities that is as effective as communication with others. Effective Communication is achieved by furnishing appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities an equal opportunity to participate in or benefit from the services, programs, or activities of a public entity.

Electronic Monitoring: The use of any electronic device or technology that automates, replicates, or supports supervision tactics that would normally require direct staff presence or resources. (371, *Home Detention*.)

Electronic Search Devices: Any electronic equipment developed for and/or commonly used by Department of Corrections' officials whose function is to perform non-intrusive searches (e.g. metal detectors). (409.01, *Searches*.)

Electronic Storage Media: Any electronic device that can be used to store data. For the purposes of Policy 385, Inmate Access to Courts, electronic storage media is limited to CDs, DVDs, and USB drives. (385, *Inmate Access to Courts*.)

Eligible Offender: (1) A person, convicted of a sexual crime prior to July 1, 2009 in the State of Vermont that requires compliance with the terms of subchapter 3 of chapter 167 of Title 13, and who: (1) is no longer under Department supervision; OR (2) is still under Department supervision and has – (a) a conviction of lewd and lascivious conduct with a child in violation of 13 V.S.A. §2602, OR (b) two (2) convictions for voyeurism in violation of 13 V.S.A.

§2605(b) or (c). (3) Sex offenders on the Vermont Sex Offender Internet Registry as of July 1, 2009 and those who have been designated as sexually violent predators under 13 V.S.A.

§5405 are excluded from this definition regardless of whether they meet any or all of the elements above. (258) Procedure and Criteria for Obtaining an Exemption from the Sex Offender Internet Registry (2) A person, convicted of a sexual crime prior to July 1, 2009 in any jurisdiction of the United States other than Vermont, including a state, territory, commonwealth, the District of Columbia, or military, federal, or tribal court who is not under the supervision of the Vermont Department of Corrections and whose conviction requires compliance with the terms of subchapter 3 of chapter 167 of Title 13. (259, *Procedure and Criteria for Obtaining an Exemption from the Sex Offender Internet Registry*.)

Emergency: Any situation where the failure of an individual to take immediate action would place themselves or another at risk of death or bodily injury. (413, *Use of Force*.)

Emergency Grievance: A grievance processed by expedited methods to resolve an

issue, which presents: (1) a threat of death or injury; (2) a threat of disruption of facility operations; or (3) a need for prompt disposition because the time is lapsing when meaningful action or decision is possible. (320, *Grievance System*;; APA Rule #06-006, *Offender Grievance System*.)

Emergency Log: A log that is started during a facility emergency to track and maintain detailed information pertaining to the emergency. (414.03, *Emergency Preparedness*.)

Emergency Operations Center (EOC): Central office planning and operations center mobilized during facility emergencies. (414.03, *Emergency Preparedness*.)

Emergency Preparedness: A comprehensive system of training, planning, and response to all types of facility and community emergencies. (414.03, *Emergency Preparedness*.)

Emergency Rule: A quick procedure that bypasses formal rulemaking (notice, comment, legislative review) and when adopted, is good for 120 days from the date of filing, at which time a formal proposed APA rule must be filed with the Secretary of State.

Emergent/Reactive Use of Force: The use of force in situation where time and circumstances do not permit approval by higher ranking employees or consultation or planning. (413, *Use of Force*.)

Employed: Carries on a vocation. Includes employment that is full-time or part-time for a period of time exceeding 14 days, or for an aggregate period of time exceeding 30 days during a calendar year, whether financially compensated, volunteered, or for the purpose of governmental or educational benefit. (255.01, *Sex Offender Registry and Internet Registry Determinations*.)

Entire Case Plan: An evolving record of the Offender Responsibility Plan detailing the goals and required action steps designed to reduce offender risk, foster responsibility, repair harm, and support community reintegration.

Escape: Is any action by the offender, which leads Corrections' employees to believe the offender intends to absent him or herself from state custody or

supervision indefinitely. (371.27, *Home Confinement Furlough*; 407, *Facility Escape Response and Review*; 410.01, *Facility Rules and Inmate Discipline*; 430.13, *Unauthorized Absence from Furlough and the Community Restitution Program*; 502.01, *Victim Notification*.)

Escapee: A person, while in lawful custody, escapes or attempts to escape from any correctional facility. (413, *Use of Force*.)

Escorted Leave: The approval of an inmate to leave a correctional facility for a short period of time accompanied by a staff member or certified volunteer. (372.03, *Compassionate Leave*.)

Essential Equipment: As specified within this directive, all equipment required for every transport outside the confines of a correctional facility. (406.01, *Inmate Instate Transportation – Facilities*.)

Evidence: Any item or substance required to substantiate or challenge any criminal or administrative charge that will be presented at a due process hearing. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations*.)

Evidence Repository: A secure box, locker, or area where staff will deposit and log items into evidence for further processing by investigating staff. (409.08, *Crime Scene Preservation and Evidence Collection – Facility*.)

Excessive Force: A type or amount of force beyond that which is reasonably necessary to control the situation and achieve the correctional objective or the continued use of force after it is no longer reasonably necessary. (413, *Use of Force*.)

Executive Management Team (EMT): An operations team of the Department's Central Office chaired by the Deputy Commissioner.

Expunge: To remove from the official inmate file. (410, *Due Process*.)

External Agencies: Includes, but not limited to, the State Police, Local Police or Sheriffs, National Guard, Office of Emergency Management, local Fire Departments, and

EMS. (26.05, *Community Emergency Notification.*)

External Applicants: Applicants for employment who are not currently employed by the State of Vermont. (122.01, *Employee Selection and Promotion.*)

F

Facility Food Service Supervisor: A DOC Supervisor who plans menus, orders, and prepares food served to inmates in a correctional facility and oversees the operations of the food service program. (354, *Food Service Operations.*)

Facility Log: A master daily record of events detailing significant security and operations activities by a shift at a correctional facility. (403.02, *Facility Logbooks.*)

Facility of the Vermont Department: For the purpose of this policy only, the community correctional facilities of the Department. (302, *Local Lockup-Standards And Inspections.*)

Facility Service Crew: A group of inmates from a correctional facility supervised by one or more correctional officers. Their purpose is to perform work service for government and non- profit agencies. Inmates participate on service crews to learn work habits and to add value to the community.

Facility Rules: Written rules established by a facility concerning inmate conduct. These rules are specific to the facility and will not contradict this administrative directive. (410.01, *Facility Rules and Inmate Discipline.*)

Faith Group: A religious or spiritual denomination, sect, or organization that is recognized by the Department of Corrections. (380.01, *Religious Observance-Facilities.*)

Faith Representative: A spiritual leader who is empowered by a particular faith group to administer ordinances and sacraments, perform rites, counsel, instruct, and provide worship and religious services. (380.01, *Religious Observance-Facilities.*)

Family Court: Family Division of the Vermont Superior Court. (Interim Procedure *Youthful Offender Status*.)

Family Member: A spouse, child, sibling, parent, next of kin, domestic partner, or legal guardian of a victim. (502.01, *Victim Notification*.)

Family Services Division: A division of DCF whose primary duty is the protection of children and working with families to keep children safe.

Family Services Social Worker: DCF Family Services Social Worker tasked as Juvenile Probation Officer with the supervision of a youth placed on juvenile probation with youthful offender status by the Family Division of the Vermont Superior Court. Used interchangeably with the term "Juvenile Probation Officer" in legal and practice situations. (Interim Memo *Youthful Offender Status*.)

Federally Qualified Health Center (FQHC): A safety net medical provider that primarily provide services typically furnished in an outpatient clinic. FQHCs include community health centers, migrant health centers, health care for the homeless health centers, public housing primary care centers, and health center program "look-alikes." They also include outpatient health programs or facilities operated by a tribe or tribal organization or by an urban Indian organization. (351, *Healthcare Services*.)

Felony: Any other provision of law notwithstanding any offense whose maximum term of imprisonment is more than two years, for life or which may be punished by death is a felony. (326.01, *Housing of Individuals Under 18*.)

Field Contact: An interaction with an offender or collateral person which takes place outside the P&P office, either by a PPO or CCO.

Field Officer Safety (FOS): A Department training for correctional staff working in the Field Services Division that provides staff strategies and practice. (413, *Use of Force*.)

Field Supervision Activities: Work assignments and/or tasks that place, or could reasonably be expected to place, field staff in situations where they would be

required to enforce conditions of supervision in a field environment outside of a secure office setting. (422.02, *Body Armor – Field.*)

Field Training: A structured on-site training and work program for new Correctional Officer trainees that complements Academy residential training. This formal training integrates classroom learning with the specific steps involved in completing job-related tasks and occurs both before and after Academy residential training. (106.06, *Academy Field Training Officer (FTO) Program.*)

Field Training Officer (FTO): A role assigned to selected Corrections Department staff. The role of the FTO is to facilitate the transition of new Correctional Officers from Academy residential training to institutional duties and to help ensure that the period of on-the-job training progresses as designed. (106.06, *Academy Field Training Officer (FTO) Program.*)

Field Training Oversight Committee: A sub-committee of the Corrections Training Advisory Board made up of representatives from each facility and the Human Resources Development Unit to oversee, monitor, and make recommendations to improve and maintain the standardized Field Training Officer Program. (106.06, *Academy Field Training Officer (FTO) Program.*)

Field Training Program Manual: An operational manual which provides direction and guidance in the administration of the standardized Field Training Officer Program of the Vermont Department of Corrections. (106.06, *Academy Field Training Officer (FTO) Program.*)

Field Training Site Coordinator: A related role assigned to each correctional facility charged with the oversight, coordination, and success of the local field training program, under the guidelines of this directive. (106.06, *Academy Field Training Officer (FTO) Program.*)

Firearm: A pistol, revolver, or other weapon of any description, loaded or unloaded, from which ammunition can be fired. (413, *Use of Force.*)

Fit Test: The use of a protocol to qualitatively or quantitatively evaluate the fit of a respirator (SCBA, N-95, etc.) to an individual. (See also Qualitative Fit Test-QLFT

and Quantitative Fit Test- QNFT.) (404.02, *Respiratory Protection*.)

Follow-up Medical Evaluation: Any medical review or procedure that may be required of uniformed staff by a contracted health care professional upon review of a completed Respiratory Medical Questionnaire. (404.02, *Respiratory Protection*.)

Food Allergies: Medically verified allergies that result in adverse reactions to foods. (354, *Food Service Operations*.)

Food Preference: Foods that one personally prefers to consume or not consume. (354, *Food Service Operations*.)

Force: Any action within the force continuum by a staff member that is intended to compel a supervised, or incarcerated, individual to act or cease acting. (413, *Use of Force*.)

Foreign National/Resident Alien: A citizen of a foreign country presently in the United States under legal authority either by visitation, work permit, or visa. (315.02, *Foreign Nationals*.)

Foreseeable Risk of Harm: A case-by-case determination by department employees in consultation with treatment providers and others involved in the offender's case planning that is based upon: (a) an offender's prior criminal background, personal history and current conduct; (b) the type of crime for which an offender was most recently convicted; and (c) the surrounding circumstances in which the offender is being supervised, including the relationship of the offender to a third party or third parties.

Formal Process: There are two types of formal process: the first is the use of the offender disciplinary system as defined by directive 410.01; the second is a furlough revocation that would require a case review and or a case staffing. (410, *Due Process*.)

Formal Grievance: A written complaint filed by a grievant concerning a departmental action, incident, policy or condition which affects that person. The grievant must file an informal complaint before initiating a formal grievance.

(320, *Grievance System.*)

Furlough: (1) A period of reintegration into the community following incarceration during which the offender was participating in restorative and/or risk management programs. (2) An approved absence from a correctional facility under precise conditions. (3) An extension of the limits of confinement of an inmate to locations outside a correctional facility. (4) A legal status for an offender under the custody of the Commissioner serving all or part of their incarcerative sentence in the community outside a correctional facility. This includes offenders on pre-approved furlough (PAF), treatment furlough (TF), and medical furlough (MF). (256, *Community Notification*; 345, *Correctional Field Staff Caseload Capacity*; 426, *Supervision Fees for Offenders under Field Supervision by the DOC.*)

Furlougee: (1) A legal status for an offender under the custody of the Commissioner serving all or part of their carceral sentence in the community outside a correctional facility. This includes offenders on pre-approved furlough (PAF), treatment furlough (TF), and medical furlough. (2) A person in the custody of the Commissioner serving all or part of their carceral sentence in the community outside a correctional facility. This includes offenders on Pre-approved Furlough Treatment Furlough, Medical Furlough and Furlough (FR).

G

Government/Public Official: Any elected or appointed American federal, state, or local government official, department or agency, or any Native American tribe having federal recognition; any official of a nation of which the inmate is a citizen. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations.*)

Graduated Sanctions: Community-based interventions utilizing a three-level matrix, imposed upon offenders who violate conditions of probation in lieu of a formal violation of probation process. Level 1, 2 and 3 Sanctions- Graduated responses that provide clear guidance and consistency to staff when responding to severity. Sanctions are progressive in nature and commensurate with the level of violation behavior beginning at level 1 and progressing to level 3. Level 1, 2 and 3 Violations- Progressive levels of technical violations based on

the severity of the behavior. Level 1 is the lowest severity of behavior and level 3 is the highest. Violation levels increase as the severity of the behavior increases. In some instances, repetitions of the same violation behavior can raise the levels from lower to higher depending on the behavior and number of repeated violations. (347, *Graduated Sanctions for Violations of Probation In Lieu of Court Referral* - APA Rule # 06-037.)

Grievance: A grievance is a formal written complaint filed by an offender concerning a departmental action, incident, policy or condition, which affects that offender. (APA Rule #06-006, *Offender Grievance System*.)

Grievance Coordinator: A DOC employee of a Correctional Facility, Field Office, the Out of State Unit, or Central Office designated to coordinate the offender grievance process. (320, *Grievance System* .)

Guest Volunteer: A volunteer who has not completed screening and training but who provides occasional services to the Department under the supervision of paid staff or other registered volunteers. A guest volunteer who provides services more than three (3) times a year must apply to be a registered volunteer in order to continue. Guest volunteers, for purposes of identification, will be treated as visitors on official business. (380.01, *Religious Observance-Facilities*.)

H

Hard Copy Bail Receipt: The four (4) part paper bail receipt that staff should use in place of the Automated Bail Receipt when the DOC offender database is off line. (502.01, *Victim Notification*.)

Headcount – (1) An organized system of counting for each inmate assigned to a correctional facility and making sure all are present and accounted for. Headcounts may be scheduled or conducted in response to an emergency. (2) The number of inmates assigned to a correctional facility.

Hearing Assistant: (1) A person who assists an inmate in preparing and presenting their case. It does not have to be a staff person, but cannot be an attorney. (410,

Due Process; 410.01, Facility Rules and Inmate Discipline; 410.03, Placement on Administrative Segregation.)

Hearing Authority: Each legal status has an authority that makes due process decisions concerning violations of conditions. Generally these due [process decisions are broken into two components; (a) the determination of guilt or innocence and (b) the disposition of the case. The hearing authority for probation is the District Court, for SCS and parole, it is the Parole Board and for furlough, it is the Department of Corrections. (410, *Due Process.*)

Hearing Officer: (1) A person designated by the Commissioner of Corrections and assigned by the Superintendent/District Manager or designee to conduct hearings. (370, *Classification, Treatment and the Use of Administrative and Disciplinary Segregation for Inmates with a Serious Mental Illness; 410, Due Process; 410.01, Facility Rules and Inmate Discipline; 410.03, Placement on Administrative Segregation.*)

Help Desk Ticket: A request for support from IT staff through completion of an online request system. (257.01, *Computer User Security Responsibilities.*)

High Risk: Statutorily defined as a high degree of dangerousness that a sex offender poses to others. Dangerousness includes the probability of a sexual re-offense. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

High-risk Designation: When a sex offender has been found by the Sex Offender Review Committee to meet the criteria of high-risk for purposes of Internet registration. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

High Risk Inmate Transport: An inmate transported and/or escorted by the transportation team when there is current evidence of, or a documented history of, attempted escapes, conspiracy to escape, self-injurious behavior, violence, contraband possession, or a high profile status in the community. 406.01 *Inmate Instate Transportation - Facilities*

Holding Station: The law enforcement agency for each county which holds a paper copy of all:

(a) inactive criminal arrest warrants issued by the county's district court; (b) active return-to-custody-on-mittimus requests issued for defendants in the custody of the Department of Corrections who have been reported missing or on escape status from the county; (c) Governor's warrants for defendants residing in the county; and (d) other criminal arrest warrants issued by other lawful authorities. (424.05, *Community Restitution Program*.)

Hospital Emergency Room: The section of a hospital licensed to operate in the state of Vermont where medical and nursing services are available on demand. Physicians working in emergency rooms in Vermont are permitted to certify someone as incapacitated and waive them to Protective Custody at a facility of the Vermont Department of Corrections. (302, *Local Lockup-Standards And Inspections*.)

Hostage: (1) Any person who is held, restrained or prevented from flight (by threat or action), with the implicit or stated purpose of exacting concessions from a third party. (2) A person who is forcibly detained to compel the eventual fulfillment of a certain and/or substantive demand(s) by a third party.

Hostage Taker (HT): Any person who is holding a hostage or is acting in concert with those doing so. (2) An individual, or a member of a group, who holds a hostage for any of a variety of motivations, but not limited to: freedom, publicity, financial gain, emotionally disturbed, seeking escape.

Housing Coordinator: A Corrections' staff person who administers all Department-funded offender housing functions, including approval of release money. (323.01, *Inmate Release Money*.)

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iEvac Smoke/Fire Hood (iEvac Hood): A safety device worn over the head to protect the wearer from fire, smoke, and gases in an evacuation or escape during a fire and/or smoke emergency.

Immediate Family Member: Refers to parents, grandparents, step-parents, adoptive parents, legal guardian, brother, step- or half-brother, sister, step- or

half-sister, spouse, civil union partner, son, daughter, or grandchildren. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations.*)

Imminent Court Deadline: A deadline imposed by the court, Vermont Rules, or Federal Rules that will be reached within ten (10) calendar days or less. (385, *Inmate Access to Courts.*)

Inactive Status: The status which prohibits a Crisis Intervention member from participating in activations, deployments, training, or other team functions due to an extended medical leave or other circumstances which impact the member's performance on the team.

Inappropriate Conduct: Includes, but is no limited to, conduct exhibited by an inmate as defined in the "Standardized Vermont Department of Corrections Rules and Guidelines for Recommended Sanctions."

Incapacitation: When a person is under the influence of alcohol, medication, appears to be suffering from severe sleep deprivation, or has serious injuries that require immediate medical attention. (414.03, *Emergency Preparedness.*)

Incapacitated Person: A person who, as a result of their use of alcohol, is in a state of intoxication, or mental confusion resulting from withdrawal, such that he appears to need medical care or supervision by approved alcohol treatment personnel, as defined in this section, to assure his safety, or he appears to present a direct active or passive threat to the safety of others. (302, *Local Lockup-Standards And Inspections.*)

Incapacitated: When a person, as a result of their use of alcohol and/or other drugs, is in a state of intoxication, or of mental confusion resulting from withdrawal, such that the person:

- 1) Appears to need medical care or supervision by approved substance use treatment personnel, as defined in statute, to assure their safety; or
- 2) Appears to present a direct active or passive threat to the safety of others. (306.01, *Incapacitated Persons.*)

Incarceration: Service of any portion of a sentence under the criminal laws of this State in a correctional facility. (256, *Community Notification.*)

Incarcerated Individual with Hearing Disabilities: means an incarcerated individual who, if unaided by hearing aids or any medical device, is unable to hear in either one or both ears to a sufficient degree to be to understand the spoken word.

Incident Command System (ICS): An emergency response structure which provides a systematic, proactive approach guiding government agencies, the private sector, and nongovernmental organizations to work seamlessly to prepare for, prevent, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, in order to reduce the loss of life or property and harm to the environment. (2) Systematic tool used for the command, control, and coordination of emergency response. ICS is based upon a flexible, scalable response organization providing a common framework within which people can work together effectively. ICS is a subcomponent of the National Incident Management System (NIMS). (409.08, *Crime Scene Preservation and Evidence Collection – Facility.*)

Incident Commander: (1) The one supervisor or senior designated staff person who is charged with the management of a specific calculated use of force. (2) The individual who assumes operational responsibility, controls and coordinates the responsibility, controls and coordinates the response to resolve the critical incident. Decisions regarding strategy, tactics, use of deadly force and concessions to the subject will be made by the Incident Commander. The Incident Commander may delegate decision making authority to subordinate team leaders as circumstances dictate. (413, *Use of Force.*)

Incipient Fire: A fire in its initial or beginning stage and which can be controlled or extinguished by a portable fire extinguisher and without the need for protective apparatus.

Index Offense: The offense(s) that require(s) compliance with the terms of subchapter 3 of chapter 167 of Title 13. 258 Procedure and Criteria for Obtaining an Exemption from the Sex Offender Internet Registry; 259 Procedure and Criteria for Obtaining an Exemption from the Sex Offender Internet Registry - Out of State Convictions.

Indigent Inmate: An inmate will be deemed indigent if the combined balances of their facility account and any other accessible accounts are \$10 or less at all times during the thirty (30) days preceding the date on which the inmate submits a request for writing materials, postage, or any State-issued property to the Facility Business Manager or designee. Any inmate who refuses available work, for which they would be paid, although they are physically able and are permitted to work by virtue of their housing status, is not indigent for the purpose of this directive. (321.01, *Offender/Inmate Property*; 385, *Inmate Access to Courts*; 409.05, *Inmate Mail, Publications, and Audio/Video Regulations*.)

Inflammatory Material: Material, if present in the facility, the Department deems to constitute a direct and immediate threat to the security, safety, health, order or discipline of the facility because it incites or advocates physical violence against others. No publication will be considered inflammatory solely based on its appeal to a particular ethnic, racial, or religious audience. No material will be considered inflammatory solely because it criticizes the operation, programs or personnel of the Department of Corrections, the State Parole Board and/or any other government agency. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations*.)

Informal Complaint: An informal complaint is one that is made orally or in writing to a Department of Corrections staff person where an attempt at problem resolution is made prior to the initiation of a formal grievance. (320, *Grievance System*; APA Rule #06-006, *Offender Grievance System*.)

Information: Any statement, whether or not it is in writing, that pertains to a specific offender.

Injury: Physical harm or damage to someone's body. This may be caused or perpetrated by another person or persons.

Initial Filing: The filing of a pleading or petition with the court of law to begin legal action in court. An initial filing also includes the filing of all notices or other documents which may be required prior to the filing of the pleading or petition, including the initial filing of amended complaints of petitions. (385, *Inmate Access to Courts*.)

Inmate: (1) An individual in physical custody in a confinement facility; an incarcerated person, including detainees. (321.02, *Inmate/Offender Claims – Facility and Field*; 365, *Access to Treatment Pending Appeal*; 371.01, *Americans with Disabilities Act (ADA)-Facility and Field*; 409.04, *Inmate/Offender Drug Testing*.)

Inmate Account: Inmates' personal money in the care and custody of the Department of Corrections (DOC) that is managed by the DOC. (385, *Inmate Access to Courts*.)

Inmate Property Matrix: A listing of the type, quantity of the type, and quantity of personal and facility property authorized for an inmate to retain according to their classification. (321.02, *Inmate/Offender Claims – Facility and Field*.)

Inmate Records: An inmate's file and medical/mental health records. (406.01, *Inmate Instate Transportation – Facilities*.)

Inmate Trust Lockbox: A banking service provided to the Department for the receipt of bank checks/money orders intended for deposit into an inmate's trust account. Under the service, funds are directed to a special post office box, rather than going directly to the Department. The bank retrieves the funds, processes them and deposits the funds directly into the Department inmate trust account. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations*.)

INS I-9 Form: A required form which determines an individual's eligibility for employment based on whether they have a legal right to work. (122.01, *Employee Selection and Promotion*.)

Institutional Emergency Preparedness Coordinator (IEPC): The person at the local facility who is responsible for the preparation of emergency procedures. This person must be at the Shift Supervisor level or above. (414.03, *Emergency Preparedness*.)

Institutional Experience: Experience gained from within the institutional setting. (122.01, *Employee Selection and Promotion*.)

Institutional Indebtedness: Includes fines, restitution ordered, disposition of property pursuant to Department of Corrections (DOC) policies and

reimbursement for supplies, postage, and/or photocopying fees under this directive. Reimbursement for any other institutionally incurred indebtedness as accrued at a correctional facility. (385, *Inmate Access to Courts.*)

Intake: (1) An initial meeting where an offender shares identifying information, criminal history, risk issues and other necessary information with the Caseworker/Probation Officer. (426, *Supervision Fees for Offenders under Field Supervision by the DOC.*)

Interim Commander: Mid-Manager or SOS who will assume command, on a temporary basis, if the Commander is more than one hour away from the facility at the time that he or she arrives. (414.03, *Emergency Preparedness.*)

Interim Revision Memorandum: A memorandum from the Commissioner or designee directing an immediately-needed relatively short change in a current policy, administrative directive, or statewide procedure that is promulgated without going through the standard policy development process. The Interim Revision Memo is effective immediately upon dissemination, and within 90 days the Department will begin the process to develop a full document through the regular policy development process.

Intermediate Sanction Program: A correctional program delivered to offenders who are in the legal status of Pre-approved Furlough or Supervised Community Sentence. In order to place an offender in an intermediate sanctions program, the offender must be referred to the Department, in advance of sentencing, for screening to determine if they meet the eligibility requirement for the program requested.

Intermediate Sanction Report (ISR): A report written by the Probation & Parole Officer which details social history, key risk areas, and treatment planning of a person who has been arraigned and is anticipating a change of plea. The report outlines the conditions by which the person would be accepted into an alternative to incarceration program.

Internal Applicants: Applicants who apply to a position who are already employed by the State of Vermont. (122.01, *Employee Selection and Promotion.*)

Interviewing Officer: (1) The staff person, not involved in the violation incident, who takes the oral testimony of a confidential informant and swears to the accuracy of their report. This can be the Investigating Officer. (410.01, *Facility Rules and Inmate Discipline*; 410.03, *Placement on Administrative Segregation*.)

Intimate Partner Violence: A pattern of behaviors used by one partner to maintain power and control over another partner in an intimate relationship.

Intradepartmental Mail System: A system of delivering mail among work sites within the Department of Corrections. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations*.)

Investigating Officer: (1) A person selected by the Superintendent/District Manager or designee to investigate the charge and compile evidence for submission to the Superintendent/District Manager. This person cannot have been involved in the violation incident. (410, *Due Process*; 410.01, *Facility Rules and Inmate Discipline*; 410.03, *Placement on Administrative Segregation*.)

Investigative Staff: Employees assigned to work cases for the DOC (VSP, DHRIU, or assigned DOC staff). (409.08, *Crime Scene Preservation and Evidence Collection – Facility*.)

IT Local Administrator/Liaison: A Department of Corrections employee designated by the local manager at their local site, who has the responsibility for assigning computer access and/or network privileges to a DOC employee, a temporary employee, or a contractor at that site. (257.01, *Computer User Security Responsibilities*.)

IT Manager: An Agency of Human Services employee designated as a liaison to a specific department within the Agency. (257.01, *Computer User Security Responsibilities*.)

IT Staff: State of Vermont employees designated to support business functions by providing help desk, network, database, and other related IT services. (257.01, *Computer User Security Responsibilities*.)

J

Job Requisition: The details specific to a vacant position that a department wishes to fill which was posted on the Vermont Department Human Resources (DHR) website. Job requisition is listed on the DHR website where applicants must apply to individual job requisitions to be considered for a particular position. (122.01, *Employee Selection and Promotion.*)

Juvenile Inmate: Any inmate is considered a juvenile inmate until they reach the age of 18. (326.01 *Housing of Individuals Under 18.*)

Juvenile Probation: The legal status created by order of the Family Court in proceedings involving a violation of law, whereby a delinquent child is subject to supervision by DCF. (Interim Procedure *Youthful Offender Status.*)

K

Kitchen Officer: A DOC Officer also serving in the food services staff. (354, *Food Service Operations.*)

L

Lead Agency: An agency designated by the Vermont Alcohol and Drug Abuse Division to regionally provide and coordinate services of the Alcohol Services Act. (302, *Local Lockup-Standards And Inspections.*)

Lead Case Manager: Employee of the lead agency, either a DCF Family Services Social Worker or DOC Probation Officer, assigned to supervise a specific youthful offender. (Interim Memo *Youthful Offender Status.*)

Legal Mail: Correspondence to or from (a) any court, the Vermont state bar association (VBS), Prison Rape Elimination Act (PREA) auditors certified by the United States Department of Justice, and/or the PREA coordinator at the Department of Corrections (DOC) Central Office; (b) the President or Vice President of the United States, members of the United States Congress,

embassies and consulates, the United States Department of Justice, state attorneys general, governors, members of any state legislature, and law enforcement officers in their official capacity; (c) Attorneys of record in court matters that have been filed in local, state, or federal court; and (d) Attorneys receiving/sending correspondences with inmates concerning legal advice, including established groups of attorneys representing the inmate (e.g. ACLU, HRC, PRO, Vermont Disability Rights, and Disability Law Project). To be considered and therefore handled as 'legal mail' the correspondence must be clearly marked 'legal mail' on the outside front of the envelope, and must have a mailing address or return address which clearly indicates that the mail is to or from one of the above listed sources. (385, *Inmate Access to Courts*; 409.05, *Inmate Mail, Publications, and Audio/Video Regulations*.)

Legal Materials: Materials determined to be (a) legal reference books/transcripts or papers obtained from sources outside the Department of Corrections and through authorized channels; (b) legal reference books and other materials obtained by means of loan from the facility law library; (c) copies of legal briefs, petitions, transcripts, or reference-book excerpts related to legal matters other than the inmate's; and (d) personal research notes. (385, *Inmate Access to Courts*.)

Legal Matter: Any proceeding before any court or administrative body which (a) challenges the legality of a conviction or confinement imposed by a court; (b) challenges any sentence or duration of confinement imposed by a court or administrative body; (c) seeks redress in equity or law for the conditions under which the inmate is confined; (d) claims violation of constitutional rights or civil liberties; or (e) asserts any recognized legal claim at law or equity against any authority, entity, or person. (385, *Inmate Access to Courts*.)

Legal Pleadings: The formal written presentation of claims and defenses by parties to a lawsuit.

The specific papers by which the allegations of parties to a lawsuit are presented in proper form. (385, *Inmate Access to Courts*.)

Less-Lethal Force: A level of force that significantly reduces the likelihood of serious physical injury or death as compared to force commonly known as lethal. (413, *Use of Force*.)

Less-Lethal Kinetic Energy Weapons: (1) An extended range impact weapon utilizing kinetic energy munitions. These munitions, when used properly are less likely to result in death or serious physical injury than force commonly known as “deadly. (2) A delivery device identified specifically for less lethal munitions i.e 12 Ga. Shotgun with orange stock. (413, *Use of Force*.)

Lethal Force: A level of force that creates a substantial likelihood of causing serious bodily injury or death. All force has a potential to be lethal depending on how it is employed. (413, *Use of Force*.)

Level 1, 2, and 3 Sanctions: Graduated responses that provide clear guidance and consistency to staff when responding to severity. Sanctions are progressive in nature and commensurate with levels of violation behavior beginning at Level 1 and progressing to Level 3. (347, *Graduated Sanctions Violations of Probation - APA Rule # 10-041*.)

Level 1, 2, and 3 Violations: Progressive levels of technical violations based on the severity of behavior. Level 1 is the lowest severity of behavior and Level 3 is the highest. Violation levels increase as the severity of the behavior increases. In some instances, repetitions of the same violation behavior can raise the levels from lower to higher depending on the behavior and number of repeated violations. (347, *Graduated Sanctions Violations of Probation - APA Rule # 10-041*.)

Level C Offender: Level C designation is reserved for those offenders whose listed offenses are egregiously harmful and who are assessed as high risk for future violent criminality. (371.28, Release Sensitive Notification (RSN) Cases.)

Level of Force: The type of force employed, amount of that type of force employed and the circumstances within which that force is employed. (413, *Use of Force*.)

Liability Limit: The limit of Vermont Department of Corrections liability for any single item of offender property that may be lost, stolen, damaged, or destroyed to an amount equal to the approved claim value of a single item up to \$50.

321.02 *Inmate/Offender Claims – Facility and Field*

Limited Markets: The market to which the sale of offender produced goods or services are limited by state statute, those being to the federal government, to any state or subdivision of the state, or to any nonprofit organization which is exempt from federal or state income taxation, subject to federal law, to the laws of the recipient state and to the rules of the department. 398 Offender Work Programs for the Public Good

Listed Offense(s): Criminal offenses described in 13 V.S.A. §5301 (7), characterized for the most part by violence toward persons; and those violent crimes that the Department of Corrections has determined meet the rationale that established the listed offenses. 502.01 *Victim Notification*

Litigation Hold: Also known as "legal hold"; a communication issued as a result of current or anticipated litigation, audit, government investigation, or other such matter that suspends the normal retention guidelines. 409.08 *Crime Scene Preservation and Evidence Collection - Facility*

Local Case Staffing: Review of pertinent case plan information by Department of Corrections facility and/or probation and parole office staff in order to make classification recommendations or decisions about appropriate custody level, furlough status, level "C" designation for offenders convicted of listed offenses, and reintegration sensitive notification cases. All RSN cases must be forwarded to the Central Case Staffing Committee. 371.28 *Release Sensitive Notification (RSN) Cases*

Local Procedure: Procedures applicable to a specific Probation & Parole office or facility necessary to carry out policy, administrative directive, administrative rule, or statewide procedure at that work site.

Log: A permanent, hardbound volume with pre-numbered pages used to record events in a sequential order by day, shift, and time respectively. 403.02 *Facility Logbooks*

LSI-R (Level of Service Inventory Revised): An objective, quantifiable instrument that provides a consistent and valid method of predicting risk to re-offend and a

reliable means of measuring offender change over time through reassessment. It is a semi-structured interview supplemented with information from records or collateral sources. Results reflect risk and need in ten domains such as employment, family dynamics, etc., that inform the classification process. This assessment tool is used routinely by the Department in preparing a PSI.

M

Major Disciplinary Report: The report issued by a DOC employee when an inmate is charged with a major violation. (410, *Due Process.*)

Major Violation: The most serious instances of inmate misconduct, constituting violent acts or serious threats to institutional security or personal safety. They are divided into two categories, A and B, Major A being the most serious. (410.01, *Facility Rules and Inmate Discipline.*)

Mandatory Country: Countries identified under the Vienna Convention on Consular Relations (VCCR) that require notification to the nearest consulate when a foreign national is detained or arrested. (315.02, *Foreign Nationals.*)

Manuals: Comprehensive technical or best practice documents that provide more detailed information, examples, and other direction for staff carrying out specific types of duties or functions; e.g., a Probation & Parole Manual, a Facility Security Manual.

Matched Savings Account: Money held by VCI in escrow for an inmate until the time of his/her release from prison, consisting of earned offender wages which they have saved for their reentry, and equal or matching amount of money from VCI. (394.01, *Vermont Correctional Industries Wage Scale.*)

Maximum Date: When an offender's criminal sentence is completed as determined by a criminal court's mittimus.

Max-Out: (1) When an inmate completes their maximum sentence while incarcerated and is released without any supervision by the Department of Corrections. (2) The serving of an carceral sentence to the maximum allowable

time after the deduction of awarded reduction of term for good behavior and earned reduction of term. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

Media Organization: Organizations that focus on delivering information to the general public or a target audience in the form of news, film, photography, audio, etc. (26.01, *Media Access.*)

Medication Administration Record (MAR): The legal document upon which administration of medication is documented.

Medical Diet: Specific foods and/or food preparation techniques that satisfy medical diet therapy (including dental) requirements as prescribed by a designated qualified health care professional. (354, *Food Service Operations.*)

Medical Furlough: Placement of an inmate diagnosed with a terminal or serious medical condition so as to render the inmate unlikely to be physically capable of presenting a danger to society to a hospital, hospice, other licensed inpatient facility or other housing accommodation deemed suitable by the Commissioner or designee. Medical furlough includes transfer from facility headcount to field headcount.

Medication Distribution System: The system of delivery, storage of and accounting for drugs from the source of supply to the point at which they are administered to the patient.

Mental Health Professional (MHP): (1) A psychiatrist, psychologist, psychiatric social worker, psychiatric nurse, or other person who by virtue of their education, credentials, and experience is permitted by law to evaluate and care for the mental health needs of patients (2) A person with professional training, experience and demonstrated competence in the treatment of mental illness, who is a physician, psychiatrist, psychologist, social worker, nurse, psychiatric nurse practitioner, or other qualified person determined by the Commissioner of Developmental and Mental Health Services. (351, *Healthcare Services.*)

Mental Health Intake Assessment: A detailed mental health screening performed by a clinical staff member (most commonly a nurse) at the time of the routine

medical and mental health intake process. Results of this assessment are utilized in identifying those inmates in need of a referral to mental health staff and/or a mental health evaluation

Mental Health Evaluation: A detailed clinical assessment performed by a licensed mental health professional and conducted on inmates identified as needing mental health treatment. Results of this evaluation are utilized in the formulation of an individualized treatment plan. Further, the mental health evaluation is a comprehensive mental health examination, which is focused on the particular suspected mental illness or mental disability. Thus, generally, the nature and quality of the particular mental health evaluation is related to the context in which the individual inmate is referred.

Mental Health Treatment: is defined as the use of a variety of mental health therapies, biological as well as psychological, in order to alleviate symptoms of mental disorder which significantly interfere with the inmate's ability to function in the particular criminal justice environment.

Mental Health Treatment Plan: Specifies the particular course of therapy and the roles of medical and non-medical personnel in carrying out the current course of therapy. It is individualized and based on assessment of the individual patient's needs, and includes a statement of the short and long-term goals and the methods by which the goals will be pursued.

Meritorious: Deserving reward for excellence. (117.01, *Employee Recognition*.)

Minimum Qualifications: The minimum qualifications an applicant must possess in order to be considered a candidate for a particular position. (122.01, *Employee Selection and Promotion*.)

Minor Violation: The least serious inmate misconduct injurious to order and discipline. (410.01, *Facility Rules and Inmate Discipline*.)

Misdemeanor: Any other offense, beside those identified as a felony, is a misdemeanor. (326.01, *Housing of Individuals Under 18*.)

Mittimus: A court order committing a person to the custody of the Department of

Corrections. (326.01, *Housing of Individuals Under 18.*)

Mobility Aiding Device: Devices used to aid an individual in moving due to an injury, disability, or other medical need. These devices include, but are not limited to, wheelchairs, crutches, prosthetic devices, walkers, etc. (406.01, *Inmate Instate Transportation – Facilities.*)

Modify: To move a case note as a result of an incorrect placement of a note under the wrong offender, or to change a note to the correct Date, Purpose, Type, Location, or Service Provider. The narrative content of a note cannot be modified. It must be deleted and then reentered correctly by a supervisor.

Multi-Disciplinary Team (MDT): A team comprised of the Superintendent or designee, and representatives from casework staff, facility management and security, and the contracted healthcare provider.

N

N95 Mask- Respiratory protection device designed to achieve a very close facial fit and efficient filtration of airborne particles. The N95 designation means that when subjected to careful testing, the respirator blocks at least 95 percent of very small (0.3 micron) test particles.

Name to Face Headcount – conducting of headcount being sure to verify the identity of each inmate being counted. Matching the ‘name’ on the headcount sheet to the face of the person being counted.

Narrative Case Information: Descriptive information regarding a case, which is entered and maintained electronically by Department staff and other authorized persons. This information documents events, administrative actions, professional opinions/assessments, and evaluations.

National Commission on Correctional Health Care (NCCHC) defined Qualified Mental Health Provider (QMHP): A term defined by NCCHC, which includes psychiatrists, psychologists, psychiatric social workers, psychiatric nurses, and others who, by their education, credentials, and experience, are permitted by law

to evaluate and care for the mental health needs of patients. 362, *Suicide Prevention and Response to Self-Injurious Incarcerated Individuals*

Necessary Force: Only the amount of force required to subdue the inmate to prevent injury, damage, or to carry out the legal order.

Needs-reducing Program: A correctional program designed to address an offender's criminogenic need areas with the goal of reducing the risk for re-offense.

Negative Contact List: A list of individuals that an inmate may not correspond with through the mail as defined by statute 28 V.S.A. § 802 (d). (409.05, *Inmate Mail, Publications, and Audio/Video Regulations.*)

Network Privileges: The authorization given to users that enables them to access specific resources on the network such as email, data files, applications, printers, and scanners. Network privileges also designate the type of access; for example, can data only be viewed (read only) or can they be updated (read/write). Also called "user rights," "user authorizations," "user permissions," and "user privileges." (257.01, *Computer User Security Responsibilities.*)

Next of Kin: A spouse, adult child, parent, adult sibling, adult grandchild, or any person identified by the individual as a "reciprocal beneficiary" or a person designated by the court to make decisions or have custody of the body. (351, *Healthcare Services*; 353 *Terminal Illness and Inmate Death – Facilities.*)

NIOSH (The National Institute of Safety and Health): The federal agency responsible for conducting research and making recommendations for the prevention of work-related injury and illness. NIOSH is part of the Centers for Disease Control and Prevention (CDC) in the Department of Health and Human Services. (404.02, *Respiratory Protection.*)

Non-Automated Direct Notifications: Notifications made personally by a Department of Corrections staff member and not through the automated VAN service. These contacts must be made by a DOC staff member by phone, email, letter, or in person. (502.01, *Victim Notification.*)

Non-Compliance with Treatment: Refusing treatment recommended by the DOC, or failing to remain in and/or complete a treatment program recommended by the DOC. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

Non-Compliant High Risk Sex Offender: A sex offender defined in 13 VSA § 5411d who: (a) Is incarcerated on or after July 1, 2007 for lewd and lascivious conduct with a child as defined in 13 VSA, § 2602, sexual assault as defined in 13 VSA § 3252, aggravated sexual assault as defined in 13 VSA § 3253, or any attempt to commit a crime listed herein or a comparable offense in another jurisdiction of the United States; (b) Is not subject to indeterminate life sentences under 13 VSA § 3271; (c) Is designated as a high-risk sex offender pursuant to 13 VSA § 5411b; and (d) Is non-compliant with DOC-recommended treatment as defined by Department of Corrections administrative directive. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

Non-Confidential Information: (a) the name of a specific offender; (b) the offender's current offense; (c) date and length off sentence received; (d) date of commencement of furlough, supervised community sentence, probation or parole, or incarceration; (e) the offender's attorney of record; and (f) the DOC employee assigned to supervise the offender. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

Non-Contact Visit: A meeting between an inmate and a visitor which is separated by a screen, solid glass partition or other partition which physically separates visitor from inmate. (327.01, *Inmate Visits.*)

Non-Lethal Force: An amount of force that would be reasonably expected not to result in the death or serious bodily injury. (413, *Use of Force.*)

Non-Lethal Use of Force (NLUOF): A Department training for correctional staff providing an integrative approach to dealing with an individual(s) who is unarmed but non-compliant, founded on the philosophy of protect and restrain. (413, *Use of Force.*)

Non Risk-related Violation: A violation of a condition of probation which is not directly related to the risk to re-offend or to the underlying offense. (347, *Graduated Sanctions for Violations of Probati–n - APA Rule # 10-041.*)

Non-Statutorily Required Notification Events: An expanded list of notification events that are not required by law, for which a registrant will receive notification through the VAN Service. These events include: (a) Movement from one in-state correctional facility to another after the fact; (b) Movement from an in-state to out-of-state correctional facility after the fact; (c) Notice when an offender is re-incarcerated/and or released after a violation of probation, parole, or furlough; (d) Release to court, or to medical furlough. (502.01, *Victim Notification*.)

Notice: Dissemination of information in any form to include, but not limited to, the print media, documents, and electronic transmission. (256, *Community Notification*.)

Notice of Suspension (NOS): Written notice to a furloughed offender (PAF, and HD) that their furlough privileges have been suspended pending due process. Offenders issued an NOS will be brought to a correctional facility to await due process. (410.02, *Furlough Violations*.)

Notification: Verbal reporting of an incident, usually by the on-duty supervisor.

Nudity: A pictorial depiction where buttocks, genitalia, or female breasts are exposed. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations*.)

O

Offender: (1) Any person convicted of a crime or offense under the laws of this state, the United States government, or the laws of another state, who is under the supervision of the Vermont Department of Corrections. (256, *Community Notification*; 321.02, *Inmate/Offender Claims – Facility and Field*; 371.01, *Americans with Disabilities Act (ADA)- Facility and Field*; 398, *Offender Work Programs for the Public Good*; 409.01, *Searches*.)

Offender/Inmate Personal Property: (1) All items of approved property belonging to, and properly acquired by, an inmate/offender. (321.02, *Inmate/Offender Claims – Facility and Field*; 380.01, *Religious Observances – Facilities*.)

Offender Labor: Assigned Offender Work Program labor performed by offenders either inside secure facilities or within the community while under the custody of the Commissioner. (398, *Offender Work Programs for the Public Good.*)

Offender Local Record: A paper file containing 1. face sheet with a current photo; 2. Vermont, Triple III, and FBI Record Check; 3. Holding documents from the original court; 4. Sentence Computation; 5. Furlough Agreement or Conditions of Supervision/Release; 6. Offender Management System (OMS) Alerts; and 7. Offender Emergency Contacts. This shall be the only paper file the DOC maintains for offenders and is intended to be used in emergencies. All other records shall be stored electronically in OMS.

Offender/Mentor Team Leader: higher-skilled and more experienced offender workers who take a leading role in training and supervising the work of other offender participants in the Workforce Development Program, and who provide stability to the workforce. Mentors often act as production coordinators within a VCI shop and have higher level of responsibility. (394.01, *Vermont Correctional Industries Wage Scale.*)

Offender Responsibility Plan (ORP): (1) The document that covers offender case planning, case management, and reparative responsibilities. Also, ORP is Offender Responsibility Planning, the Department's strength-based restorative approach to caseplanning. (2) The Department document that covers offender case planning, case management, and offender reparative responsibilities. Also, Offender Responsibility Planning, the Department's strength-based restorative approach to case planning. (502.01, *Victim Notification.*)

Offender Work Programs: Any work activity or program managed by the Department of Corrections, which governs inmate labor. (398, *Offender Work Programs for the Public Good.*)

Offense: The conduct underlying a conviction. (256, *Community Notification.*)

Ohio Risk Assessment System (ORAS): The ORAS is validated for use with both incarcerated offenders and with offenders in the community. The ORAS evaluates each offender at defined periods in their supervision. The ORAS encompasses various tools which are to be administered to offenders at various times. The tool

(s) selected shall depend on the offender's situation and case circumstances.

Oleoresin: A mixture of essential oil and resin found in nature.

Oleoresin Capsicum (OC): (1) A product using tincture of oleoresin capsicum derived from cayenne pepper (its active agent), which is used to incapacitate, detain and control a subject. (413, *Use of Force.*)

Operational Community Service Team: An operation community service team has a vehicle in good working order and appropriate for safe transportation of the service team and the necessary equipment to carry out the tasks of the assignment. The service team leader has completed DOC training, and all offenders on the service team have been oriented to the Community Restitution Program, trained to complete the tasks assigned, equipped with safety gear necessary for the work site and trained in appropriate safety procedures.

OSHA (Occupational Safety & Health Administration): (1) The federal agency, which oversees work site safety, issues for the U. S. Department of Labor.

Overnight Travel: Travel by an offender where they are out-of-state for more than 12 hours.

P

Parole: (1) The release of an inmate to the community by the Parole Board before the end of the inmate's sentence, subject to conditions imposed by the Board and subject to the supervision and control of the Commissioner. (426, *Supervision Fees for Offenders under Field Supervision by the DOC.*) (2) The release of a sentenced individual to the community by the Parole Board before the end of the individual's sentence, subject to conditions imposed by the Board and subject to the supervision and control of the Commissioner (#371.25, *Parole Board Reviews and Recommendations*)

Parolee: An offender released on parole by the Board.

Parole Event: Any activity involving offender parole, including upcoming hearings, hearing results, and violations. (502.01, *Victim Notification.*)

Pat Search: (1) An inspection of a person conducted by running hands across the person's clothing to detect any hidden objects, including examination of pockets, shoes and cap that does not require the removal of clothing other than a coat, hat or footwear. (327.01, *Inmate Visits*; 409.01, *Searches*.)

Payment Contract: The Department form which is completed by staff to assess an offender's ability to pay a supervision fee. Ability to pay is based on whether or not the offender meets one of the requirements for an exemption. (426, *Supervision Fees for Offenders under Field Supervision by the DOC*.)

Peer Support: A program implemented by the department to help individuals cope with stress, crisis, and emotional trauma. This program utilizes the services of DOC staff members who by virtue of experience and training or interest have been selected to provide support to their peers.

Pepperball Delivery System (PBDS) Is a complete system of OC delivery combined with a kinetic impact that includes the delivery weapon, the air that propels a plastic ball containing the OC either in powder or in liquid form.

Performance Checklist: A list of steps directly connected to the completion of a job or task that includes a standardized teaching process. (106.06, *Academy Field Training Officer (FTO) Program*.)

Perimeter: The interior and exterior fence system surrounding the facility. (413, *Use of Force*).

Personal Legal Documents/Papers: Includes items essential to the preparation of formal legal pleadings such as: (a) all handwritten/typewritten drafts of pending briefs or petitions; (b) materials that the inmate intends to include in the completed pleading to the court; (c) copies of formal discovery documents related to pending litigation including transcripts of depositions and verbatim court proceedings; (d) copies of completed and signed complaints, petitions, motions, or briefs which have been filed with the court and are pending a court decision or order; ©(e) any item of legal mail previously received through any prison facility mail procedure and relating to a pending legal pleading. (385, *Inmate Access to Courts*.)

Petition: The application form and supplemental materials that must be filed by an eligible offender with the Sex Offender Review Committee in order to be considered for an exemption from the Sex Offender Internet Registry. An incomplete petition will not be considered. (258, *Procedure and Criteria for Obtaining an Exemption from the Sex Offender Internet Registry*; 259, *Procedure and Criteria for Obtaining an Exemption from the Sex Offender Internet Registry - Out of State Convictions*.)

Photograph Identification: A card that has been issued by a government agency bearing the holder's name, date of birth, address and photograph. (327.01, *Inmate Visits*.)

Physician: One duly authorized and licensed to practice medicine in the state of Vermont. (302, *Local Lockup-Standards And Inspections*.)

Physical Force: The use of hands, other parts of the body, objects, instruments, chemical devices, electronic devices, firearms or other physical methods used to restrain, subdue, control, intimidate or to compel persons to act in a particular way or to stop acting in a particular way. (413, *Use of Force*.)

Planned Use of Force: The use of force in situations where time and circumstances allow for consultation with qualified health care and mental health professionals and approval by higher ranking employees, and where there is some opportunity to plan the actual use of force. (413, *Use of Force*.)

Policy: A policy is a broad position statement that describe a direction, course, or position that the Commissioner's Office, Agency of Human Services Secretary, or the Vermont legislature has established through: (1) A clear articulation of the policy in statute; (2) APA Rulemaking; (3) The direction of the Commissioner or the Secretary of the Agency of Human Services.

Possession: An item that is (a) found on one's person or the clothing being worn by that person; or (b) found in one's personal belongings or cell; or (c) found in an area that one exerts control over, and there is independent evidence that the inmate knew it was there. Further, (a)confidential information exists supporting that the inmate had knowledge the contraband was there; (b)staff observation of the inmate's behavior led to staff's suspicion that the inmate is hiding

contraband; (c) staff observed an inmate with contraband; or (d) other evidence indicated the contraband was placed by the inmate. (410.01, *Facility Rules and Inmate Discipline*.)

Post: An established work assignment within a correctional facility that an employee may be given for part of or an entire work shift, that includes duties and responsibilities related to; (a) a specific physical location within a correctional facility; or (b) multiple locations within a correctional facility; or (c) a location outside a correctional facility, such as a medical facility or court. (403, *Post Orders*; 403.04, *Inmate Observation Checks & Accountability*.)

Posted: When a draft policy, administrative directive, statewide procedure, or rule is distributed via the Department Web site or hard copy for review and feedback by staff, the public, and/or offenders, for a pre-determined amount of time. "A" security level documents in their entirety are only posted for relevant staff; a redacted version of the document is available for others to review.

Posting Period: The period of time which a job is posted for on the DHR website. (122.01, *Employee Selection and Promotion*.)

Post Orders: (1) A written job or task requirement for conducting operations at a specific job station in a correctional facility. (2) A document that contains specific procedures that an employee is required to follow when performing duties and responsibilities or responding to an incident related to a post. (403, *Post Orders*;))

Potential Suicide Subject: A person who communicates the intent to engage in self-harming behavior and who possesses the means of committing suicide.

Practice of Law: One is deemed to be practicing law whenever he furnishes to another advice or service under circumstances which imply the possession and use of legal knowledge and skill. The practice of law includes all advice to clients, and all actions taken for them in matters connected with the law. Practice of law includes the giving of legal advice and counsel, and the preparation of legal instruments and contracts of which legal rights are secured. Where the rendering of services for another involves the use of legal knowledge or skill on his --half-- where legal advice is required and is availed of or rendered in connection with such se--ices--these services necessarily constitute or include the practice of law.

(385, *Inmate Access to Courts.*)

Pre-Academy Field Training: One week of job shadowing for new staff at a work site, combined with some on-the-job training based on learning objectives defined by the Academy Administrator. 106.05 *Vermont Correctional Academy*; (106.06, *Vermont Correctional Academy Field Training Program.*)

Pre-Approved Furlough (PAF): (1) A legal status used for offenders who are determined eligible for Intermediate Sanctions Programs by the Department of Corrections and who are recommended for placement in these programs by the court at sentencing. These furloughs are pre-approved by the Department after it conducts an eligibility screening prior to sentencing to determine if the offender meets the criteria established for the program to which the court refers him/her. For offenders who are pre-screened and determined eligible for the Corrections' program, receive an appropriate sentence of incarceration and further receive recommendation on the mittimus by the court for placement on furlough, the Department will forgo the normal inmate classification rules and honor the court's recommendation regarding placement in the community based program by executing a furlough to the offender if he/she agrees to the terms and conditions outlined in a furlough agreement. (2) The legal status in which an inmate is sentenced to serve a term of imprisonment, but is placed by a court on furlough to participate in such programs administered by the Department that reduce the offender's risk to reoffend. (424.05, *Community Restitution Program*; 426, *Supervision Fees for Offenders under Field Supervision by the DOC.*)

Pre-Hearing Suspension: Discontinuation of a furlough pending a hearing to determine if the furlough will be continued or terminated.

Pre-Plea PSI: A pre-sentence investigation (PSI) which may be ordered by the Court prior to a defendant's adjudication of guilt. (342, *Legal Reports: Presentence Investigations (PSI), Intermediate Sanctions, Pre-Releases, and Pardons.*)

Pre-sorted Standard Mail: Mail that usually consists of sales flyers, form letters, or other printed pieces that are generally identical in content but do not meet the criteria of a publication. This mail is specifically identified with a United States Postal Service Pre-sorted Standard Mail stamp. (409.05, *Inmate Mail,*

Publications, and Audio/Video Regulations.)

Presentence Report: Any written report prepared by DOC Employees and provided to a judge that contain a recommendation for a sentence and factual information pertaining to the offender and/or victim. (342, *Legal Reports: Presentence Investigations (PSI), Intermediate Sanctions, Pre-Releases, and Pardons.*)

Presenting Officer: (1) A staff person assigned by the Hearing Officer to present facts relevant to the incident for disciplinary consideration. The Presenting Officer may also have been the Investigating Officer, but may not have been involved in the incident from which the disciplinary report stems. (410, *Due Process*; 410.01, *Facility Rules and Inmate Discipline*; 410.03, *Placement on Administrative Segregation.*)

Presumptive Parole: Creates a process to parole offenders at their minimum aggregate sentence if they meet the criteria.

Printed Materials: Written materials containing words and/or pictorial representations, regardless of the medium on which the information is recorded or how the information is recorded, whether manually or mechanically. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations.*)

Privilege: A benefit bestowed upon an individual to whom a person has no right or legal entitlement. (410.01, *Facility Rules and Inmate Discipline.*)

Privileged Communications: Communications made for the purpose of facilitating the rendition of professional legal services to the inmate between the inmate and his/her attorney or his/her attorney's representative. (325, *Telephon– Use - APA Rule # 13-043.*)

Privileged Correspondence: Correspondence concerning a legal matter or official government business involving an inmate, between that inmate and any of the following persons or entities at their official business address, or received from such persons. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations.*)

Probable Cause Hearing: A hearing in compliance with the decisions of the U.S.

Supreme Court, conducted on behalf of an offender accused of violating Interstate terms or conditions of their Parole or Probation. This hearing in Vermont is conducted by the Director of Offender Due Process.

Probation: (1) The legal status a court may impose on a defendant that suspends all or part of the sentence and places the person in the care and custody of the Commissioner of Corrections, upon such conditions and for such time as it may prescribe, in accordance with law, or until further order of the court. (2) A legal sanction used to sentence offenders. A procedure under which an offender, found guilty of a crime upon verdict or plea, is released by the Court from confinement, subject to conditions imposed by the Court and under supervision of the Commissioner of Corrections. (3) A form of community supervision where a suspended or deferred sentence is imposed by a court, under which an offender is found guilty of a crime upon verdict or plea, is subject to conditions imposed by the court and placed under supervision of the Commissioner of Corrections. (347 *Graduated Sanctions for Violations of Probation* APA Rule # 10-041; 426, *Supervision Fees for Offenders under Field Supervision by the DOC*; 428.01, *Term Probation Midpoint Review*.)

Professional Case Documentation: Case documentation which includes the following: respectful language with accurate spelling, grammar, and language usage; opinions supported by observed behaviors; narratives concise and clear in their meaning; only information pertinent to the case included in the narrative.

Program (DOC): A Department of Corrections' mandated, needs-reducing program either in a correctional facility or in the field. The Department of Corrections provides a range of treatment programs to address crime-related need areas (criminogenic needs) and lower the likelihood of recidivism or further criminal conduct by the offender for example, the Vermont Treatment Program for Sexual Aggressors (VTPSA). (371.01, *Americans with Disabilities Act (ADA)- Facility and Field*.)

Projected Movement Date (PMD): The date at which it is projected that an incarcerated offender will be eligible to be released to the community. (2) Codes used in the Department database to indicate when an offender may be released from incarceration and on what status.

Projected Release Date (PRD): The date when it is projected that an offender will

be released from a facility. (371.29, *Community Notification for High Risk Offenders.*)

Pro Se: One who represents oneself in a court proceeding rather than being represented by a lawyer. (321.02, *Inmate/Offender Claims – Facility and Field.*)

Proselytizing: Approaching someone with the intent to persuade that person to convert to a particular faith group. (380.01, *Religious Observance-Facilities.*)

Protective Custody: A civil status in which an incapacitated person is detained by a law enforcement officer for the purposes of:

- 1) Ensuring the safety of the individual or the public or both; and
- 2) Assisting the individual to return to a functional condition.

(306.01, *Incapacitated Persons*)

Protective Mask: mask used to protect the wearer from inhaling airborne pollutants, toxic gases, or chemical agents. The mask forms a sealed cover over the nose and mouth, but may also cover the eyes and other vulnerable soft tissues of the face. The protective mask only protects the user from digesting, inhaling and contact through the eyes.

PSI (Pre-sentence Investigation): An investigation of a defendant that results in a written report by a Probation & Parole Officer (PSI Investigator) looking into the defendant's social, economic, medical, educational, and criminal background. The Court orders this report, and staff submit it to the Court to assist them in making informed sentencing decisions. PSI also refers to the report itself. (342, *Legal Reports: Presentence Investigations (PSI), Intermediate Sanctions, Pre-Releases, and Pardons.*)

PSI Investigator: A DOC staff member who has been trained in conducting a pre-sentence investigation, writing a PSI report, and representing the Department's recommendation in court. (342, *Legal Reports: Presentence Investigations (PSI), Intermediate Sanctions, Pre-Releases, and Pardons.*)

Psychotropic Medication: Medication that effects the central nervous system and which is employed to treat symptoms of mental illness. These medications may influence thinking, mood and behavior and include antipsychotics,

antidepressants, antianxiety agents, sedative hypnotics, psychomotor stimulants, lithium and anticonvulsants prescribed to control mood fluctuations. These medications include any medications approved by the FDA for the treatment of psychiatric illness as well as those medications commonly used in the private sector for treatment of psychiatric illness.

Public Good: Overall benefit to the interests and well-being of the citizens of the state in light of all the social and economic costs and benefits. (398, *Offender Work Programs for the Public Good.*)

Public Information Officer (PIO): The person responsible to manage media and other public interest group relations. (414.03, *Emergency Preparedness.*)

Publication: A book, booklet, pamphlet, or similar document, or a single issue of a magazine, periodical, newsletter, newspaper, plus such other materials addressed to a specific inmate such as advertising brochures, flyers, and catalogs. (409.05, *Inmate Mail, Publications, and Audio/Video Regulations.*)

Q

Qualified Health Care Professional (QHCP): Any person who by virtue of their education, credentials, and experience is permitted by law to evaluate and care for patients. This includes physicians, physician's assistants, nurses, nurse practitioners, dentists, and mental health professionals. (306.01, *Incapacitated Persons*; 403.04, *Special Observations*; 362, *Suicide Prevention and Response to Self-Injurious Incarcerated Individuals.*)

Qualified Individual with a Disability: An individual with a disability who, with or without a reasonable accommodation, is able to meet the essential eligibility requirements for the receipt of services or the participation in applicable programs or activities. A disability does not exempt an inmate from a requirement that they possess some other qualification in order to be eligible for the program or activity. (371.01, *Americans with Disabilities Act (ADA)-Facility and Field.*)

Qualified Interpreter: Means an interpreter who, via a video remote interpreting (VRI) service or an on-site appearance, is able to interpret effectively, accurately,

and impartially, both receptively, and expressively, using any necessary specialized vocabulary, given the individual with hearing disabilities' language, skills and education. Qualified interpreters include, for example, sign language interpreters, oral transliterators, and cued-language transliterators. See 28 C.F.R. § 35.104, Pt. 35, App. A. "Qualified Interpreter." A Certified Deaf Interpreter is also considered a qualified interpreter.

Qualified Legal Claims: In a direct appeal, any claim of error; in a Post-Conviction Relief proceeding, any non-precluded claim; any claim of error based on a violation of the constitution or law. Petitions for a Rule 75 review in state court; Writ of Habeas Corpus in state or federal court; and a civil rights action or condition of confinement claim (42 U.S.C. §1983). (385, *Inmate Access to Courts*.)

Qualified Mental Health Provider (QMHP): A term defined by the National Commission on Correctional Health Care (NCCHC), which includes physiatrist, psychologist, psychiatric social worker, psychiatric nurse, and others who, by their education, credentials, and experience, are permitted by law to evaluate and care for the mental health needs of patients (403.04, *Special Observations*).

Qualified Ranked Candidate List: A ranked list of applicants for a given position. (122.01, *New Employee Selection*.)

Qualitative Fit Test: A pass/fail fit test to assess the adequacy of the fit of the respirator to the individual. It relies on the individual's response to the test agent.

Quantitative Fit Test: An assessment of the adequacy of respirator fit by numerically measuring the amount of leakage into the respirator.

R

Random Search: A search based upon an impartial method of selecting the persons or places to be searched, (e.g., a lottery system using names, room numbers, etc.) (409.01, *Searches*.)

Random Selection: A sample taken from the total population so that each individual has an equal chance of being selected. (409.04, *Inmate/Offender Drug*)

Testing.)

Read or Scan Search: The visual scanning or reading of documents to determine the nature and content of the writing. Scan searches of an inmate's personal legal documents/papers shall be conducted only in accordance with this directive. (385, *Inmate Access to Courts.*)

Reasonable Access: Reasonable access will consist of no less than twenty (20) hours each week of "access" to the Vermont correctional facility law libraries, electronic legal research, Inmate Legal Administrators (ILAs) and Inmate Law Librarians (ILLs), forms and materials contained therein to all inmates regardless of segregation status, subject to security and disciplinary restrictions and previously established policies, directives and facility procedures. (385, *Inmate Access to Courts.*)

Reasonable Accommodation: Any change in the facility or field environment, policies or procedures, or the manner in which tasks are completed that enables a qualified individual with a disability to participate in and receive the same benefits from a program or service, or the opportunity to receive the same benefit of service, unless to do so would result in a fundamental alteration in the nature of a program or activity. (371.01, *Americans with Disabilities Act (ADA)- Facility and Field.*)

Reasonable Belief: Judgment based on information or observation deemed to be credible. (327.01, *Inmate Visits.*)

Reasonable Force: The use of physical force to achieve a legitimate correctional objective where the type and amount of force are consistent with the situation and the objective to be achieved, where alternatives to physical force are unavailable or ineffective, and where the force used is the minimum necessary to control the situation. (413, *Use of Force.*)

Reasonable Suspicion: (1) A reasonable belief, based on specific and articulable facts, that an inmate or offender is engaged in, or has engaged in, behavior that violates his/her conditions of confinement, furlough, parole, probation and/or behavior that is criminal and that a search will uncover specific evidence of such violation. (2) Information, consisting of articulable objective facts and inferences

drawn from objective data, which would cause a reasonable and experienced correctional staff person to conclude that an individual, is in the possession of contraband, or in violation of this directive. (3) Information, consisting of articulable objective facts and inferences drawn from objective data, which would cause a reasonable and experience correctional staff person to conclude that an individual is either in possession of drugs/alcohol, or has used a prohibited substance. (409.01, *Searches*; 409.04, *Inmate/Offender Drug Testing*; 409.05, *Inmate Mail, Publications, and Audio/Video Regulations*.)

Receiving State: A state to which an offender requests transfer of supervision or is transferred.

Recording Devices: Electronic devices used to capture audio, photographic, or video recordings. (26.01, *Media Access*.)

Redact: To edit Department documents to comport with confidentiality or security concerns.

Reference Check: The review of a final candidate's references to ensure suitability for employment. (122.01, *Employee Selection and Promotion*.)

Registered Notification Method: The method (phone and/or email) by which the registrant has indicated on VINEWatch® they want to be notified. (502.01, *Victim Notification*.)

Registered Volunteer: Any person who performs a function within a correctional facility for no payment from the Agency of Human Services. They may receive a stipend from an outside source. A registered volunteer has completed a Department application, screening and training, has a volunteer photo ID, and is listed with the Volunteer Services Coordinator as an approved volunteer. (380.01, *Religious Observance-Facilities*.)

Registrant: Any victim, family member, affected person, staff person, or member of the community who wishes to be notified and registers to receive notification through the VAN Service. (502.01, *Victim Notification*.)

Regular Social Visit: A meeting, conducted during routine visiting hours, between

an inmate and a person listed on the inmate's approved visitor list. (327.01, *Inmate Visits.*)

Reintegration: Any process that assists offenders in assuming responsible roles as productive and law-abiding members of the community and identifies ways to assist victim recovery. (256, *Community Notification.*)

Relative: An individual related by blood, adoption, marriage, civil union or other legally recognized relationships. This may include relationships other than a relative at the discretion of the Superintendent. (372.03, *Compassionate Leave.*)

Release (as defined in 13 VSA § 5401(8)): Release from confinement or custody or placement into the community for any reason including release on bail pending appeal, probation, parole, furlough, work release, early release, alternative sanctions, house arrest, daily interrupt, community placement, or completion of sentence. It shall also mean probation or parole supervision of an out-of-state sex offender under an interstate agreement or compact. (255.01, *Sex Offender Registry and Internet Registry Determinations*; 502.01, *Victim Notification.*)

Release Sensitive Notification (RSN) Case: A case in which the Department takes special care in release planning and the release of an offender and notifies parties who may be concerned before an offender is released. A case is assigned RSN status by the central case staffing team based on field and facility recommendation. Criteria for RSN status include, but are not limited to, LSI scores, victim and community sentiment, media or political notoriety of the offense, and being a listed or Level C offender. This does not pertain to sentence-detained or detained offenders.

Religious Activity: Any rite, ceremony, event, or program that is customarily associated with the practices of a religion, including, but not limited to, formal group gatherings of a religion for purposes of worship, prayer, or teaching. (380.01, *Religious Observance-Facilities.*)

Religious Diet: Specific foods and/or food preparation techniques that satisfy religious dietary requirements. (354, *Food Service Operations.*)

Religious Observance Program: Includes any formal faith-based activities, services, and practices in a correctional facility, which are coordinated or monitored by staff in order for inmates to practice their religious beliefs while incarcerated. (380.01, *Religious Observance-Facilities.*)

Religious Volunteer: A Department of Corrections' registered volunteer who conducts individual or group religious activity in a correctional facility. (380.01, *Religious Observance-Facilities.*)

Relocate: To remain in another state for more than 45 consecutive days in any 12-month period.

Reparative Probation: Is for offenders whose cases fall into eligibility requirements as determined by the courts. The offenders are then supervised under Response Supervision.

Reporting: (1) Any communication of offender information that is made by a DOC employee, volunteer, agent, or contractor that is required by law or this policy whether or not a request for such information is made. (2) Written reporting of an incident, to include database and staff and supervisory written reports.

Reporting Instructions: The orders given to an offender by a sending or receiving state directing the offender to report to a designated person or place, at a specified date and time, in another state. Reporting instructions will include place, date, and time at which the offender is directed to report in the receiving state.

Reporting Staff: (1) The staff member who recommends bringing a charge against an inmate by preparing a disciplinary report. (2) The staff member who recommends an inmate be placed on Administrative Segregation by completing the Segregation Placement Form. (410.01, *Facility Rules and Inmate Discipline*; 410.03 *Placement on Administrative Segregation.*)

Rescinded Document: A Department document (policy, administrative directive, statewide procedure, or APA rule) that has been in effect, which is no longer in effect and is not replaced by a revised document.

Respiratory Protection Program Administrator: A Department of Corrections employee of a correctional facility designated by the Facility Superintendent to administer that facility's Respiratory Protection Program.

Response Supervision: Assigned to offenders who score moderate or less on DOC screening risk assessment instruments after considering the offender's severity of offense. Those offenders whose behavior indicates that a lesser level of supervision than Risk Management is required may be moved to Response Supervision. Response supervision does not include case planning or focuses on a written contract for compliance with probation and parole conditions referral to appropriate services.

Response Supervision Caseload: A caseload of persons on probation and parole, that, because of lower severity of offense and, generally, lower risk to re-offend, requires limited supervision services. Such caseloads may include offenders transitioning from Risk Management supervision caseloads. *345 Correctional Field Staff Caseload Capacity*

Responsibility: An individual's personal obligation or accountability for performance. (410.01, *Facility Rules and Inmate Discipline.*)

Restorative Justice: An approach focusing on repairing the harm caused by the offender to victim and community, involving community members and the offender, and inviting the victim to participate. (345, *Graduated Sanction Guidelines for Probation Violations.*)

Restraint Chair: (1) A chair with small wheels that has been restraint and transport capabilities for an inmate even while they are handcuffed. Use of the restraint chair does not constitute 4-point restraint. This chair is referred to as the AEDEC International Pro-Straint Prisoner Safety Seat by the manufacturer. (403.04, *Inmate Observation Checks & Accountability*; 413.10, *Use of Restraint Chair.*)

Restraints: (1) Restraints include any mechanical device used to control the movement of an inmate's body and/or limbs. Only those restraint devices specifically authorized and disseminated by the Department of Corrections are

allowable. (2) Items to control or restrain movement of offenders, such as handcuffs, flex cuffs, leg irons, waist restraints. (413, *Use of Force*; 413.08, *Use of Restraints & Roles of Security and Health Care Professionals in Facilities*; 413.11, *Responses to Self-Harm*.)

Restraint Status I: The securing of an inmate with hand cuffs behind the back and with leg irons. (410.06, *Restrictive Housing Status, Conditions of Confinement*.)

Restrictive Housing Status: A designation, which provides for closely regulated management of inmates through placement on Administration Segregation or Disciplinary Segregation status. (354, *Food Service Operations*; 410.06, *Restrictive Housing Status, Conditions of Confinement*.)

Retaliation: When an employer or individual fires, demotes, harasses, or otherwise takes action against an individual for filing charges of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination. (118.02, *Reporting and Investigating Unlawful Discrimination, Sexual Harassment, and Retaliation in the Workplace*.)

Return on Mittimus (ROM): A notice to law enforcement agencies, issued by the Vermont Department of Corrections, to arrest a furlougee who is believed to have absconded from supervision. (424.05, *Community Restitution Program*.)

Risk: The degree of dangerousness, degree of harm and likelihood of future conduct by an offender on furlough where such conduct is a violation of the criminal laws of this state. (256, *Community Notification*.)

Risk Assessment: (1) The use of standardized assessment measures combined with professional discretion to describe in qualitative and quantitative terms the level of criminal risk posed by a given offender at a specific point-in-time. It considers: (a) nature, extent, and seriousness of an offender's behavior, (b) the degree of threat presented to the community and/or victim, (c) the general dangerousness of an offender in different settings, and (d) the appropriate setting, intensity of intervention, and level of supervision needed. (2) A variety of criminogenic-specific assessment tools used by the Department of Corrections in order to identify evidence-based, objective, reliable, and valid predictions of offender risk to re-offend, while providing a reliable means of measuring offender

change over time, through reassessment. The tools identified 255.01 Sex Offender Registry are not exclusive or all inclusive, and may change based on results of research and more effective methods becoming available. (255.01, *Sex Offender Registry and Internet Registry Determinations*; 371.01, *Americans with Disabilities Act (ADA)-Facility and Field*.)

Risk Management Caseload: (1) For offenders under community supervision - A caseload of offenders on probation, parole, Supervised Community Sentence, and furlough that, because of severity of offense and risk to re-offend, requires higher supervision and case management services in smaller caseloads. (2) A caseload of persons on probation, parole, Supervised Community Sentence and furlough that, because of severity of offense and risk to re-offend, requires higher supervision and case management services in smaller caseloads. (345, *Correctional Field Staff Caseload Capacity*.)

Risk Management Supervision: Combines the use of risk control and risk reduction strategies that are vital to positive outcomes for community supervision of offenders. Risk control strategies are directed at deterring future non-compliance by holding offenders accountable through reprimands. Response strategies to non-compliant behavior could include warnings, loss of privileges, and when appropriate, the imposition of more intrusive/restrictive requirements and violations. Risk reduction strategies are directed at promoting future compliance by assisting the offender through information, education/training, counseling, programming, treatment or other needs-reducing services, to bring positive changes in the circumstances that led to the non-compliant behavior.

Risk-related Violation: A violation of a condition of probation which is directly related to the offender's risk to re-offend or to the underlying offense. (346, *Graduated Sanctions for Probation Violations*.)

RSN Release Plan: A release plan developed for RSN cases, including the address for victim contact, referral to community services or DOC victim services, and any other special victim issues/needs and community notifications. Special victim issues include, but are not limited to: existing court orders, release location restrictions, restitution, child support, safety concerns, general victim anxiety, concerns, and/or strong negative reaction about the inmate's release. (371.28, *Release Sensitive Notification (RSN) Cases*.)

Rules: Acts that have the force and effect of law in the compacting states, and are promulgated under the Interstate Compact for Adult Offender Supervision, and substantially affect interested parties in addition to the Interstate Commission.

S

Secondary Hearing Assessment: Means a hearing assessment to (1) determine whether an incarcerated individual has a hearing disability, (2) obtain additional information on the extent of an incarcerated individual's hearing disability, and/or (3) help determine what auxiliary aids and services are required to ensure effective communication. It may be ordered either after the initial Intake Hearing Screening, or when an individual who has been incarcerated presents with a suspected hearing disability during incarceration. A Secondary Hearing Screening can be ordered at any time during an individual's incarceration.

Section Leader (SL): The staff member selected as the leader of Crisis Intervention; responsible for the management, coordination and training of the team.

Security & Compliance Audit Manual: A manual established by the Chief of Operations which contains audit procedures, schedules of audits, audit forms, and relative standards. (403.01, *Security and Compliance Audits – Facilities.*)

Security & Compliance Audit Program: A formal program, which establishes and audits security standards and best correctional practice for a correctional facility, aimed at enhancing the security and safety of staff, the public, and inmates. (403.01, *Security and Compliance Audits – Facilities.*)

Security Equipment: Firearms, ammunition, batons, chemical agents, security restraints and similar devices. (413, *Use of Force.*)

Security Manual: (1) A compilation of emergency plans, designated administrative directives, security bulletins, post orders, and transmittal memoranda. This security manual will be kept locally in multi-volume binders and centrally in electronic format in a secure

drive. (2) A manual of security standards, emergency plans, specific relevant directives, and security bulletins which is maintained at each facility based on materials provided by the Director of Security Operations and Audits. 403.03, *Facility Security Manual*; 403.01, *Security and Compliance Audits – Facilities*.)

Security Screening: Required security checks in order to be permitted to visit. (327.01, *Inmate Visits*.)

Security Threat Group (STG): (1) A group or association of three or more persons who may have a common identifying sign, symbol, or name and who individually or collectively engage in, or have engaged in, criminal activity or other disruptive behaviors that could create an atmosphere of fear and intimidation or compromises safety and security. (2) A group of inmates, specifically designated by the Commissioner or designee, which poses a threat to the safety of staff, the facility or other inmates. (e.g., “Aryan Brotherhood”, “Latin Kings”.) (380.01, *Religious Observance- Facilities*; 409.05, *Inmate Mail, Publications, and Audio/Video Regulations*; 410.01, *Facility Rules and Inmate Discipline*; 427, *Security Threat Groups*.)

Security Threat Group (STG) Affiliate: A person who is an associate, member, or leader of a security threat group (STG). (427, *Security Threat Groups*.)

Security Threat Group Paraphernalia: Any material, document(s), or items evidencing security threat group involvement or activities; (e.g., rosters, constitutions, structures, codes, pictures, training material, clothing, communications, publications or other security threat group- related contraband). (409.05, *Inmate Mail, Publications, and Audio/Video Regulations*.)

Segregation: (1) The confinement of an inmate to a single-person cell separated from the general population. Daily release from the cell for purposes of recreation, bathing, telephone use, visiting and other activities is generally restricted according to the behavior currently and previously exhibited by the inmate. (2) The confinement of an inmate to an individual cell that is separated from the general population.

Segregation Review Committee: A committee comprised of three (3) or more individuals from the ranks of custody operations, casework and medical or mental

health. The purpose of the committee is to (a) determine the needs and requirements of an inmate assigned to segregation and, (b) to assess the progress of individuals prior to a phase advancement or release from segregation status to determine whether the conduct of the inmate placed on segregation warrants continued segregation. (410.03, *Placement on Administrative Segregation*; 410.06, *Restrictive Housing Status, Conditions of Confinement*.)

Self-Defense: Protection of oneself from an unprovoked attack, which cannot be avoided. (410.01, *Facility Rules and Inmate Discipline*.)

Sending State: A state requesting the transfer of an offender, or which transfers supervision of an offender under the terms of the Compact and its rules.

Sentenced/Detained Offender: An inmate who is both serving a sentence and also has a detainer against their release from custody. The detainer may be by another jurisdiction in Vermont or outside of Vermont. The detainer may be for pending charges that are not yet adjudicated and need to be resolved, or the detainer may be for charges that have been adjudicated, and the inmate needs to serve a sentence in the requesting jurisdiction. (372, *Granting Reintegration Furlough*.)

Separation Profile: A record specifying the need and reasons for keeping two (2) or more inmates apart from each other. (410.05, *Protective Custody*.)

Serious Mental Illness/Serious Functional Impairment: (a) A disorder of thought, mood, perception, orientation, or memory, as diagnosed by a qualified mental health professional, which substantially impairs judgment, behavior, capacity to recognize reality, or ability to meet the ordinary demands of life and which substantially impairs the ability to function within the correctional setting; or (b) A developmental disability, traumatic brain injury or other organic brain disorder, or various forms of dementia or other neurological disorders, as diagnosed by a qualified mental health professional, which substantially impairs the ability to function in the correctional setting. (28 V.S.A. §701, § 906.) (2) Means a substantial disorder of thought, mood, perception, orientation or memory, any of which grossly impairs judgment, behavior, capacity to recognize reality, or ability to meet the ordinary demands of life. (370, *Classification, Treatment and the Use of Administrative and Disciplinary Segregation for Inmates with a Serious Mental*

Illness; 410.01, Facility Rules and Inmate Discipline; 410.03, Placement on Administrative Segregation; 410.06, Restrictive Housing Status, Conditions of Confinement.)

Serious Physical Injury: (1) Physical injury which creates a risk of death or which causes disfigurement, impairment of health or loss or impairment of the function of any bodily organ. (2) Any injury which requires an individual to receive immediate medical treatment by a health care professional before the individual can continue normal activity. (410.01, *Facility Rules and Inmate Discipline; 413, Use of Force.*)

Serious Risk of Danger: A case-by-case determination by a therapist, a medical professional, mental health professional, or other person as defined in 12 VSA § 1612 (a) that is based upon: (a) the offender's proclivity to violent behavior as evidenced by prior criminal background or history of mental health treatment; and (b) the expressed intent of that offender to harm the person or property of an identifiable third party.

Service Provider: An employee, agency or department providing a service to offenders pursuant to an agreement or contract with the Vermont Department of Corrections.

Sex Offender: (1) A sex offender as defined in Vermont statute, reflected in 13 VSA subchapter 3, § 5401 (10), and as defined in federal law. A person who is convicted of any of the following Vermont offenses: (a) Sexual assault as defined in 13 VSA § 3252; (b) Aggravated sexual assault as defined in 13 VSA § 3253; (c) Lewd and lascivious conduct as defined in 13 VSA § 2601; (d) Sexual abuse of a vulnerable adult as defined in § 1379 of 13 VSA; (e) Second or subsequent conviction for voyeurism as defined in 13 VSA § 2605(b) or (c); (f) Kidnapping with intent to commit sexual assault as defined in 13 VSA § 2405(a)(1)(D); (g) Aggravated sexual assault of a child in violation of 13 VSA § 3253a. (h) An attempt to commit any offense listed in this section A. (2) A person who is convicted of any of the following offenses against a victim who is a minor, except that, for purposes of this section, conduct which is criminal only because of the age of the victim shall not be considered an offense for purposes of the Registry if the perpetrator is under the age of 18 and the victim is at least 12 years old: (a) Any offense listed in section A; (b) Kidnapping as defined in 13 VSA § 2405(a)(1)(D); (c)

Lewd and lascivious conduct with a child as defined in 13 VSA § 2602; (d) Slave traffic as defined in 13 VSA § 2635; (e) Sexual exploitation of children as defined in 13 VSA §§ 2822-2828; (f) Procurement or solicitation as defined in 13 VSA § 2632(a)(6); (g) Aggregated sexual assault of a child as defined in 13 VSA § 3253(a); (h) Sex trafficking of children or sex trafficking by force, fraud, or coercion as defined in 13 VSA § 2635a; (i) Sexual exploitation of a minor as defined in 13 VSA § 3258(b); or (j) An attempt to commit any offense listed in this section [3]. (3) A person who has a federal conviction in federal court for any of the following offenses: (a) Sex trafficking of children as defined in 18 U.S.C. § 1591; (b) Aggravated sexual abuse as defined in 18 U.S.C. § 2241; (c) Sexual abuse as defined in 18 U.S.C. § 2242; (d) Sexual abuse of a minor or ward as defined in 18 U.S.C. § 2243; (e) Abusive sexual contact as defined in 18 U.S.C. § 2244; (f) Offenses resulting in death as defined in 18 U.S.C. § 2245; (g) Sexual exploitation of children as defined in 18 U.S.C. § 2251; (h) Selling or buying of children as defined in 18 U.S.C. § 2251A; (i) Material involving the sexual exploitation of minors as defined in 18 U.S.C. § 2252; (j) Material containing child pornography as defined in 18 U.S.C. § 2252A; (k) Production of sexually explicit depictions of a minor for import into the United States as defined in 18 U.S.C. § 2260; (l) Transportation of a minor for illegal sexual activity as defined in 18 U.S.C. § 2421; (m) Coercion and enticement of a minor for illegal sexual activity as defined in 18 U.S.C. § 2422; (n) Transportation of minors for illegal sexual activity, travel with the intent to engage in illicit sexual conduct with a minor, and engaging in illicit sexual conduct in foreign places as defined in 18 U.S.C. § 2423; (o) Transmitting information about a minor to further criminal sexual conduct as defined in 18 U.S.C. § 2425; (p) An attempt to commit any offense listed in this section [4]. (4) A person who takes up residence within this state, other than within a correctional facility, and who has been convicted in any jurisdiction within the United States, including a state territory, commonwealth, the District of Columbia or military, federal or tribal court, for a sex crime the elements of which would constitute a crime under 13 VSA § 5401(10) if committed in this state. (5) A person 18 years of age or older who resides in this state other than in a correctional facility, and who is currently required to register, or prior to taking up residence within this state was required to register as a sex offender in any jurisdiction of the United States, including a state, territory, commonwealth, the District of Columbia, or military, federal or tribal court; except that, for purpose of this section, conduct which is criminal only because of the age of the victim shall not be considered an offense for the purpose of the Registry if the perpetrator is under the age of 18 and the

victim is at least 12 years old. (6) A non-resident sex offender who crosses into Vermont and who carries on a vocation (is employed) or is a student. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

Sex Offender Internet Registry: The database of information, maintained by the Department of Public Safety pursuant to 13 V.S.A. §5411(a), that is publicly accessible through the Internet. (258, *Procedure and Criteria for Obtaining an Exemption from the Sex Offender Internet Registry*; 259, *Procedure and Criteria for Obtaining an Exemption from the Sex Offender Internet Registry – Out of State Convictions.*)

Sex Offender Review Committee: (1) A committee of five (5) people appointed by the Commissioner to determine if referred cases meet the designation of high risk established in statute for purposes of Internet registration. (2) The Committee established in Section 5 of the Department of Corrections APA Rule 13-130025, Determination of High Risk and Failure to Comply with Treatment for Purposes of Sex Offender Internet Registry. (258, *Procedure and Criteria for Obtaining an Exemption from the Sex Offender Internet Registry*; (259, *Procedure and Criteria for Obtaining an Exemption from the Sex Offender Internet Registry - Out of State Convictions.*)

Sexual Abuse: Unwanted sexual activity, involving force, threats, debt, coercion, and taking advantage of victims not able to give consent including, but not limited to: (1) Abusive Sexual Contact: Any attempt, threat, request, or intentional contact between the mouth and any body part, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or buttocks, where there is intent to abuse, arouse, or gratify sexual desire. (2) Nonconsensual Sexual Acts: Any attempt, threat, request, or intentional contact between the penis and the vulva or the penis and anus, including penetration, however slight; contact between the mouth and penis, vulva, or anus; or penetration of the anal or genital opening of another person, however slight, by the hand, finger, object, or other instrument. (3) Indecent Exposure: The display of uncovered genitalia, buttocks, or breast in the presence of another. (4) Voyeurism: An invasion of privacy such as peering at a person who is using a toilet in their cell; requiring a person to expose their buttocks, genitals, or breasts; taking images of all or part of an inmate's naked body or of a person performing bodily functions. (122.01, *Employee Selection and Promotion.*)

Sexual Harassment: Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by a person directed towards another. It also includes repeated verbal comments or gestures of sexual nature to a person by another, including demeaning references to gender, sexually suggestive or derogatory comments about body, clothing, or obscene language or gestures. (118.02, *Reporting and Investigating Unlawful Discrimination, Sexual Harassment, and Retaliation in the Workplace*; 122.01, *Employee Selection and Promotion*.)

Sexual Offender Supervision and Offender Re-entry Services Coordinator: A staff role in the Vermont Center for the Prevention and Treatment of Sexual Abuse office. This position provides case management oversight for incarcerated and community supervised sex offenders. (501.03, *Circle of Support and Accountability (COSA) Teams*.)

Sexually Explicit: A pictorial depiction of actual or simulated sexual acts, including sexual intercourse, oral sex or masturbation. 409.05 *Inmate Mail, Publications, and Audio/Video Regulations*

Show of Force: A demonstration of the current ability to use force, such as the massing of officers or tactical squads. (413, *Use of Force*.)

Significant Violation: 1. An arrest or citation for a new felony or listed offense; 2. Offender's behavior directly threatens or harms an identifiable person/individual; 3. Evidence of behavior(s) that pose a direct risk to public safety; 4. When an offender is arrested on a Commissioner Warrant for absconding; 5. A documented pattern of risk related behavior where previous interventions have failed to mitigate the risk; or 6. A pattern or history of behavior that continues after the exhaustion of lower-level sanctions have failed to gain offender compliance.

Soft Restraints: For the purpose of this directive, flex-type cuffs are considered soft restraints and considered only as a necessary alternative to regular restraint devices when regular restraint devices do not fit on an inmate or cannot be used due to a medical requirement or other special circumstance. (406.01, *Inmate Instate Transportation – Facilities*.)

SOTIPS (Field PPO Only): The Sex Offender Treatment Intervention and Progress Scale (SOTIPS) is a statistically-derived dynamic measure designed to aid clinicians, and PPO staff in assessing risk, treatment and supervision needs, and progress among adult males who have been convicted of one or more qualifying sexual offenses and have committed at least one of these sexual offenses after their eighteenth birthday.

Special Relationship: A relationship between an offender and a third party that has been established as a result of the supervision of the offender by the Department; e.g., a special relationship may exist between a third party and the DOC if an offender is required or allowed to work or live with the third party. (*Reporting of Offender Information – APA Rule 96-18.*)

Specialty Impact Munitions: Munitions designed to minimize the likelihood of causing life threatening injury, used to incapacitate, distract and control a subject. (*413 Use of Force.*)

Special Response Team (SRT): The primary maneuver element deployed for building entries, searches for inmates, crowd/riot control, objective containment, rescues, and responses to exigent circumstances.

Special Visit: A special meeting approved by the Superintendent or designee, which allows exceptions to (1) the authorized visitor list, (2) number of visitors, (3) schedule of visits and/or(4) length of visit. (*327.01, Inmate Visits.*)

Split Sentence: A sentence imposed by the court that requires the offender to spend an initial period of time in an incarcerated setting followed by release to probation. (*502.01, Victim Notification.*)

Staff Emergency Notification Lists: Lists of staff members to be called during an emergency. These lists can include administrators, special emergency positions and general staff re-call lists. (*26.05, Community Emergency Notification.*)

State of Vermont Restitution Unit: This was created by the State legislature to address the financial hardship caused to crime victims when they must wait for an offender to pay restitution. For any restitution ordered on or after July 1, 2004, the Restitution Unit pays victims their restitution as soon as it has been ordered by the court. The payments are made from the Restitution Fund. The Restitution

Unit them collect the outstanding amount from the offender and reimbursed the Fund.

Statewide Procedure: A procedure that is identified in an administrative directive, manual, or other departmental document as being uniform and consistent across the correctional system and/or all field offices or facilities, and that requires no further local procedure. It must be promulgated through the Policy Development Unit and signed by the Commissioner. All statewide procedures will be kept in the Commissioner's Office Policy Manual.

Station/Post: A fixed base of operations which is the focal point of activities for one (1) or more posts; e.g. housing unit, program area, or service area. (403, *Post Orders*; 403.02 *Facility Logbooks*.)

Statutorily Required Notification Events: The list of notification events the Department of Corrections is required by statute to provide. These events include: (a) Escape from custody (facility or furlough); (b) Recapture of an escaped offender; (c) Any change in an offender's custody status, including: (i) Release on bail directly from a correctional facility either by the posting of bail at the correctional facility or the presentation to the correctional facility of a court order for release; (ii) Release upon completion of a maximum sentence term or if the sentence is commuted; (iii) Release upon completion of a split sentence prior to placement on probation; (iv) Release from a facility to community supervision such as Reintegration Furlough (RF) or Conditional Re-entry (CR); (d) Transfer to a federal court jurisdiction or jurisdiction in another state or federal court, pursuant to a detainer; (e) Death of an offender; (f) Pardon of an offenders by the Governor; (g) Notice of a pending parole hearing or review and the outcome of that hearing/review. (502.01, *Victim Notification*.)

Strategic Planning Group (SPG): A group of local and/or state officials that have a vested interest in the facility during an ongoing emergency. This group may provide advice, consultation, reactions, analysis, and alternative strategies to the commander. It may include subject matter experts and consultants. (414.03, *Emergency Preparedness*.)

Strip Search Kit: A kit designed for the collection and preservation of physical and DNA evidence associated with alleged penetrating sexual act. (409.08, *Crime*

Scene Preservation and Evidence Collection – Facility.)

Strip Search/Visual Body Cavity Search: A visual inspection of all body surfaces and body cavities. (409.01, *Searches.*)

Student: A person who is enrolled on a full-time or a part-time basis in any public or private educational institution in Vermont, including any secondary school, trade or professional institution, or institutions of higher learning. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

Substance Use Crisis Team: An organization approved by the Secretary of Humans Services, or designee, to provide emergency treatment and transportation services to substance users pursuant to the provisions of statute. (306.01, *Incapacitated Persons*)

Substantiated Allegations: Allegations proven by a preponderance of the evidence. (122.01, *Employee Selection and Promotion.*)

Substantiated Report: The Commissioner of DCF or the Commissioner’s designee has determined, after investigation, that a report is based on accurate and reliable information that would lead a reasonable person to believe that the child has been abused or neglected.

Substantive Demand: A demand which a hostage-taker, barricaded subject or potential suicide subject has determined cannot be obtained by other means.

Superseded Document: A Department document (policy, administrative directive, statewide procedure, or APA rule) that has been in effect, which is no longer in effect because a revised version has been approved by the Commissioner and has replaced it. The Commissioner’s Office keeps an updated list and copies of superseded documents.

Supervision: The authority or oversight exercised by supervising authorities of the Department over an offender for a period of time determined by a court or releasing authority, during which the offender is required to report to, or be monitored by, supervising authorities. This includes any condition or requirement imposed on the offender at the time of the offender’s release to the community

or during the period of supervision in the community. (426, *Supervision Fees for Offenders under Field Supervision by the DOC.*)

Supervision Level Assessment (SLA): The SLA is the initial screening given on intake at field sites to determine eligibility for services and further assessments.

Supervised Community Sentence (SCS): (1) A court-imposed sentence of incarceration to be served in a community setting subject to the rules of the Commissioner of Corrections. These offenders are under the jurisdiction of the Parole Board. (345, *Correctional Field Staff Caseload Capacity*; 424.05, *Community Restitution Program*; 426, *Supervision Fees for Offenders under Field Supervision by the DOC.*)

Supervising Employees: DOC staff and employees who are tasked with monitoring offenders or involved in directly working with or supervising offenders in the community. (*Reporting of Offender Information – APA Rule 96-18.*)

Supplemental Snack: Foods that are prescribed by a qualified health care professional as medical therapy for a diagnosed medical or nutritional health problem. (354, *Food Service Operations.*)

Support Services Employees: All Department employees not covered in Manager, Supervisor, Correctional Services Specialist, Correctional Officer/CCO/CSTL, and Administrative Support Services job titles. This includes, but is not limited to, individuals in a facility or field site or central office in Vermont Correctional Industries (VCI), education, program services, information technology, volunteer services, etc. (117.01, *Employee Recognition.*)

Suspended Sanction: The postponement of a disciplinary sanction for a specified period of time. (410.01, *Facility Rules and Inmate Discipline.*)

T

Tactical Plan: The Department's five-step plan of response for all emergencies. (as established in the Department's Emergency Preparedness training and plans). (1)

locate; (2) isolate; (3) evacuate; (4) resolve; (5) deactivate.

Tactical Support Unit (TSU): Department of Public Safety's (State Police) Tactical Support Team. (414.03, *Emergency Preparedness.*)

Task/Site Supervision: Community Supervision Teams are supervised to ensure: (a) They complete work assignments per customer specification; (b) They follow proper safety rules and procedures; (c) They are present at the work site throughout the work day; (d) They work at a quality standard designated by the community restitution program. Evaluation is accomplished by providing feedback to encourage appropriate participation, evaluating activity and participation level, recording and reporting positive and negative action, and assessing each offender's performance for the work day.

Tax Setoff Debt Collection: A process by which the Department may submit claims to the Tax Department for collection of offender debts of \$50 or more. (426, *Supervision Fees for Offenders under Field Supervision by the DOC.*)

Team: Two (2) or more individuals who have worked together for at least six (6) months on a specific project, special initiative, or activity having a common purpose. Characteristics of teams include shared decision-making, shared accountability, and collective work products. (From AHS Policy 4.04) 117.01 *Employee Recognition*

Technical Violation: (1) A violation of a condition of probation other than new criminal behavior. (346, *Graduated Sanction Guidelines for Probation Violations*; 347, *Graduated Sanctions for Technical Violations of Probation In Lieu of Court Referral - APA Rule # 10-041*) (2) A violation of conditions of supervision that does not constitute a new crime 430.11, *Response to Furlough Violations.*)

Telephone Reporting Supervision Program (TRSP): The TRSP utilizes an automated, telephone-based supervision system called Offender link. This program is specifically designed for use with lower risk offenders.

Temporary Employee/Position: Employees at will who have no right to continued employment or a proprietary right to a job. Temporary employment may be terminated at any time and for any reason, except as prohibited by law. Typically,

a temporary employee is assigned a specific project or time-period for employment. (122.01, *Employee Selection and Promotion.*)

Temporary Furlough to Obtain Medical Services: Extension of an inmate's place of confinement, for a defined period of time and within the discretion of the DOC, as authorized in 28 V.S.A. § 808(b), for the purpose of obtaining short-term inpatient medical or emergency care or services unavailable within the correctional facility. This does not include transfer from facility headcount to field but may include pre-arranged visits by Probation and Parole officers to assist in supervision.

Temporary Travel Permit (TTP): Authorization that allows designated and approved offenders under the supervision of the Department of Corrections to visit another state, not to exceed 30 days.

Text Telephone/Teletype Terminal/Teletypewriter (TTY): Means a device that allows individuals with hearing disabilities to use a telephone to type and send text messages.

Telecommunications Relay Service (TRS): Means an operator services that allows people with hearing disabilities to place calls to standard telephone users via keyboard or assistive device.

Threatening or Threatening Behavior: For purposes of the disciplinary process, these include any of the following: (a) Verbal threats when the offender has the ability and opportunity to carry out the threat. (Ability and opportunity are defined using the APCT standard.) (b) Physical threats where the offender has entered another person's space in an intimidating manner. The offender's behavior may or may not include gross motor activity. (c) Verbal threats where the offender demonstrates knowledge of another person's personal life, such as, "Don't you live at (address)?" or, "Your kid goes to (specific school), doesn't she?" This knowledge must be articulated in conjunction with threatening behavior. (410.01, *Facility Rules and Inmate Discipline.*)

Tight-fitting Face Piece: A respiratory inlet covering that forms a complete seal with the individual's face.

Training Assistant (TA): A related duty assigned to selected Department staff for the purpose of providing operational supervision, mentoring, and coaching of trainees during the term of the residential Academy program. (106.05, *Vermont Correctional Academy.*)

Training Coordinator: A fulltime classified employee who plans, develops, coordinates, and supervises on-going training programs. (106.05, *Vermont Correctional Academy.*)

Transfer Alert Form: A form utilized to convey special and/or specific information about an inmate being transported. Every inmate transported for any reason must have an accompanying Form. (See Attachment 3.) (406.01, *Inmate Instate Transportation – Facilities.*)

Transportation Paperwork: Inmate paperwork regarding transportation includes all paperwork necessary to complete a transport of an inmate between facilities, to scheduled court appearances, to scheduled medical or dental appointments, or for emergency visits to a hospital. Every transport will include at a minimum the Inmate Transfer Alert Form (Attachment 3) and the Inmate Face Sheet (photo included). Other transportation paperwork may include the inmate's entire file, medical file (confidential), medical information sheets (confidential), extradition waiver, court orders, ADA Notification to Facility Staff form (See Attachment 4), or other pertinent information necessary for the transport. (406.01, *Inmate Instate Transportation – Facilities.*)

Transport Chair: A gray-colored chair with larger wheels that has restraint capabilities only for inmate transport, requiring that handcuffs and leg irons are removed from the inmate while they are restrained in the chair. Use of the transport chair does not constitute 4-point restraint. This chair is referred to as the E.R.C Emergency Restraint Chair by the manufacturer. (413.10, *Use of Restraint Chair.*)

Transmittal Memorandum: A sequentially-numbered memorandum designating specific changes in the contents of the Department of Corrections' Security Manual. (403.03, *Facility Security Manual.*)

Trauma: An emotional response that results from a single stressful or dangerous

event.

Travel Permit: The written permission granted to an offender under Department community supervision authorizing the offender to travel from one state to another.

Treatment: (1) The broad range of medical, detoxification, residential, outpatient, aftercare, and follow-up services which are needed by substance users, and may include a variety of other medical, social, vocational, and educational services relevant to the rehabilitation of these persons. (2) A range of services provided by a Vermont-certified and/or Licensed Alcohol and Drug Counselor, which meet standard criteria as provided by the American Society of Addiction Medicine (ASAM). (409.04, *Inmate/Offender Drug Testing*.)

Treatment Furlough: The transfer of an incarcerated individual, with the approval of the sentencing judge, to a residential treatment program providing services to the general population not otherwise available in a correctional facility. The services may include treatment for substance use, personal violence or any other condition that the Department has determined should be addressed in order to reduce the incarcerated individual's risk to re-offend or cause harm to themselves or others in the facility. Treatment furlough includes transfer from facility headcount to a field headcount. (373.02, *Medical Furlough and Parole*.)

Treatment Notes: Any written notes used in the Department's programs for offenders that address need areas such as violence, sexual deviancy, or drug/alcohol abuse. Treatment notes would include daily journals, thinking reports, treatment group or review forms, treatment team log books, relapse prevention plans, sexual autobiographies, and references or documentation pertaining to identifiable victims. (*Reporting of Offender Information – APA Rule 96-18*.)

Treatment Release Letter: A letter to the Court requesting permission to release the PSI report to a DOC-approved treatment provider for defendant treatment or assessment purposes. (342, *Legal Reports: Presentence Investigations (PSI), Intermediate Sanctions, Pre-Releases, and Pardons*.)

Treatment Team: A group of Department employees, treatment providers,

and/or volunteers that are convened to discuss and make case decisions.

Types of Transportation Vehicles: Secure; Secure Car; Partially Secure; Unsecured; Private/Personal (Any vehicle not owned by the State or public safety organization); Emergency/Non-Emergency Medical Transport (Vehicles equipped for the transport of individuals who require medical attention. These vehicles are ambulances or wheelchair vehicles and may be operated by private contract services.) (406.01, *Inmate Instate Transportation – Facilities.*)

U

Undeliverable Mail: Mail that cannot be identified for delivery due to an incomplete or incorrect address(es.) (409.05, *Inmate Mail, Publications, and Audio/Video Regulations.*)

Uncharged Case: Completed investigations not yet reviewed for prosecution by the appropriate prosecuting authority, completed investigations that have not been accepted for prosecution by the appropriate prosecuting authority, or completed investigations that have been declined for prosecution due to insufficient evidence. (409.08, *Crime Scene Preservation and Evidence Collection – Facility.*)

Undue Burden: Any accommodation(s) which would result in a fundamental alteration in the nature of a program or activity or an undue financial and administrative hardship. Any accommodation will not impose undue hardship on the Department or compromise the safety or security of staff and offenders or others at facility or field sites. (371.01, *Americans with Disabilities Act (ADA)- Facility and Field.*)

Unexcused Absence: An absence by a Crisis Intervention member from training or activation which has not been authorized by the Section Leader.

Unlawful Discrimination: Unfair or unequal treatment of an individual (or group) based on age, disability, ethnicity, gender, marital status, national origin, race, religion, and sexual orientation. (118.02, *Reporting and Investigating Unlawful Discrimination, Sexual Harassment, and Retaliation in the Workplace;* 122.01,

Employee Selection and Promotion.)

Use of Force: Any situation in which an employee uses physical force against a supervised, or incarcerated, individual, or other person, except those situations in which security restraints are used in a standard manner for escort or transport. (413, *Use of Force.*)

V

Verbal Orientation: Tell inmate/offender general rules/regulations of the institution, general programs of the institution regarding assignment of case managers and the classification process. (371, *Offender Classification.*)

Vermont Automated Notification Service (VANS): An open automated victim information and notification service that provides registered victims, family members, affected persons, other community members, and Department staff with timely and accurate information concerning an offender's status, location, movement, and upcoming releases through an automated phone call, or email. (502.01, *Victim Notification.*)

Vermont Correctional Academy: A residential staff training program managed by the Department. The Vermont Correctional Academy assists the Department in achieving its statutory mandate to establish training programs for new employees and to establish in-service training programs as deemed advisable. (106.06, *Academy Field Training Officer (FTO) Program.*)

Vermont Correctional Academy (VCA) Program: An orientation and training program which provides an overview of the Department of Corrections and a basic level of knowledge, skills, and performance based training abilities for newly-hired staff. This includes a standardized, competency-based curriculum supported by appropriate materials and classroom resources. (106.05, *Vermont Correctional Academy.*)

Vermont Correctional Industries (VCI): Those industries operated entirely within Vermont correctional facilities that sell goods and services to federal and state agencies, municipalities, and non-profit organizations, and that pay wages to

offenders using receipts from those sales. (394.01, *Vermont Correctional Industries Wage Scale.*)

Vermont Crime Information Center (VCIC): Part of the Department of Public Safety (DPS); it is a State repository for all criminal histories, including identifying information. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

Vermont Occupational Safety & Health Administration (VOSHA): The division of the Vermont Department of Labor, which oversees occupational safety, issues in Vermont. (404.02, *Respiratory Protection.*)

Vermont Sex Offender Registry: A registry established by statute in 1996 at the Department of Public Safety (DPS) Vermont Criminal Information Center in compliance with federal law. It contains information on all sex offenders residing or employed in Vermont, or attending a post- secondary educational institution in Vermont. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

Vermont Sex Offender Internet Registry: A list containing names of sex offenders posted to the Internet for public use, established by statute at the Vermont Criminal Information Center (VCIC.) (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

Vermont State Division of Substance Use Programs (DSU): A division within the Department of Health which oversees the substance use teams who assess individuals for incapacitation and the need for protective custody. (306.01, *Incapacitated Persons*)

Vermont Treatment Program for Sexual Abusers (VTPSA): A Vermont correctional facility and community-based DOC treatment program of offenders convicted of sexually-related offenses. (255.01, *Sex Offender Registry and Internet Registry Determinations.*)

Victim: (1) A person who sustains physical, emotional, or financial injury or death as a direct result of the commission or attempted commission of a crime or act of delinquency. This also includes the family members of a minor, an incompetent adult, and homicide victims. (2) A person who sustains physical, emotional or

financial injury or death as a direct result of the commission or attempted commission of a crime resulting in a conviction, or act of delinquency and may also include family members of a minor, incompetent or a homicide victim. This also includes an alleged victim(s) of an inmate who has been charged with a crime and is incarcerated as a detainee. (327.01, *Inmate Visits*; 502.01, *Victim Notification*.)

Victim's Advocate: A person who is hired and serves at the pleasure of the State's Attorney and who provides services to victims. (502.01, *Victim Notification*.)

Victim Confidentiality: Maintaining any information pertaining to the victim, including, but not limited to, victim contact information or case notes involving victim contact, in a secure location where no one other than the Victim Services Program staff or other authorized Department staff involved with the specific offender have access. Maintaining victim confidentiality also requires that no information about the victim be shared with the offender without the victim's permission, unless a there is a court order requiring disclosure. (502.01, *Victim Notification*.)

Victim Permission to Visit: A form, which may be obtained by the victim from the Department Victim Services Director or designee, which may allow the victim to visit the inmate associated with their crime. (see Attachment #4) (327.01, *Inmate Visits*.)

Victim Services Program (Office, Staff): The Department Program that oversees all services to victims of offenders under the custody or supervision of DOC, as well as staff training re: victims. The Program includes a central office Director, who also supervises field staff victim services specialists. The Program interacts closely with other victim organizations in the State. (See Victim Programs & Services directive.) (502.01, *Victim Notification*.)

Victim Services Specialist (VSS): Department of Corrections staff whose role is to provide victim services, train and consult with other Department staff, serve on case co-management teams when victim issues require it, and support and maintain the Victim Services Program of the Vermont Department of Corrections. (502.01, *Victim Notification*.)

Victim Wrap-Around: A meeting coordinated by a Victim Services staff member for the purpose of developing a community-based safety plan for victim(s) and affected parties. (371.28, *Release Sensitive Notification (RSN) Cases.*)

Videophone: Means a telephone with a camera and screen for visual, real-time communication.

Video Relay Service (VRS): Means a telephone service using interpreters connected to callers by video hook-up that is designed to provide persons with hearing disabilities who use American Sign Language with telephone services that are functionally equivalent to those provided to users who are hearing.

Video Remote Interpreting (VRI): Means an interpreting service that uses video conference technology over dedicated lines or wireless technology offering a high-speed, wide-bandwidth video connection that delivers high-quality as provided in 28 C.F.R. § 35.160(d).

Vienna Convention on Consular Relations (VCCR): A multilateral treaty that regulates the rights, privileges, and duties of consulates and consular staff worldwide. (315.02, *Foreign Nationals.*)

Violation of Probation (VOP): (1) A finding by the Court, in accordance with 28 V.S.A. § 302. (345) Graduated Sanction Guidelines for Probation Violations; (347) Graduated Sanctions for Technical Violations of Probation In Lieu of Court Referral - APA Rule # 10-04. (2) Non-compliance with a condition of probation by an action or behavior or lack of action or behavior that fails to comply with and violates a condition of probation agreed to by the offender and the courts. (Interim Procedure *Youthful Offender Status.*)

Visiting Registration Center: The place in each facility where visitors register. (327.01, *Inmate Visits.*)

Visitor: Any person other than an inmate, offender or Department of Corrections' employee or volunteer who enters a correctional facility for the purpose of visiting an inmate or offender. (409.01, *Searches.*)

Volunteer Services Coordinator (VSC): The correctional staff person who has responsibility for the volunteer services program in a correctional facility, including the religious observance program (in conjunction with the facility Superintendent). (380.01, *Religious Observance- Facilities.*)

W

Waiver: The official action of an alcohol treatment or, medical professional for the lodging of an Incapacitated Person at a correctional facility or local lockup indicating that there is no treatment service available, that the possible treatment service is refused to this particular person, or that the person refuses treatment. (302, *Local Lockup-Standards And Inspections.*)

Weapon: Any firearm, device, instrument, material or substance, which in the manner it is used or is intended to be used is known to be capable of producing death or serious bodily injury (excerpted from Vermont Law.) (413, *Use of Force.*)

Work Camp Earned Reduction in Term: A reduction in an offender's sentence earned through participation at a Work Camp. (502.01, *Victim Notification.*)

Work Unit: A work site or unit within the Department of Corrections (e.g., Facility, Probation & Parole Office, Out of State Unit, Vermont Correctional Industries, Information Technology, Security and Supervision, Education, etc.) (117.01, *Employee Recognition.*)

Work Unit Supervisor: The Corrections' employee in either the field or Central Office who manages or supervises the employees within a specific work unit (e.g., District Manager, Superintendent, Program Services Executive, Academy Training Coordinator, etc.) (117.01, *Employee Recognition.*)

Working Day: Monday through Friday between the hours of 08:00 AM and 4:30 PM, excluding holidays, shall be defined as working days. (385, *Inmate Access to Courts*; 410, *Due Process.*)

Y

Youthful Offender Status: A youth who the court has found to be appropriate for treatment under the Youthful Offender statute based on the determination that public safety will be protected, the youth is amendable to treatment and sufficient services are available. (Interim Memo *Youthful Offender Status*.)

Terms Used in Data Reporting

Booking Statuses

Detained: Awaiting release, trial, or sentencing for crime(s)

Detained W/Hold: Awaiting release, trial, or sentencing for crime(s) and held for federal or other jurisdiction

Hold: Being held for federal or other jurisdiction

Sentenced: Convicted of crime(s)

Sentenced/Detained: Convicted of crime(s) and has a detainer against their release from custody

Sentenced/Detained W/Hold: (Rare) Convicted of crime(s), held pre-trial for other crime(s), and held for federal or other jurisdiction

Sentenced W/Hold: Convicted of crime(s) and held for federal or other jurisdiction

Crime Type

Incarcerated individuals are classified into different crime types based on the most serious crime for which they are sentenced, detained, or held. For example,

01:Fel./Serious. The number (e.g., 01) indicates the severity of the crime ranked from 01-11 from most severe to least severe. Next, the crime type displays whether the most serious crime was a felony (Fel.) or misdemeanor (Misd.). Finally, the category of crime is provided (e.g., Serious). See below for examples of each crime type. Each individual is typically counted once when reporting crime type data, with the most serious crime indicating the crime type.

Crime Type Examples

01:Fel./Serious: Aggravated Assault, Aggravated Sexual Assault, Murder

02:Fel./Person: Assault and Robbery, Lewd and Lascivious

03:Fel./Property: Burglary Occupied, Grand Larceny, Arson

04:Fel./Drug: Dealing, Trafficking, Possession or Sale of drugs

05:Fel./MotorV: DUI 3 or more

06:Fel./Other: Obstruction of Justice, Fugitive

07:Misd./Person: Domestic Assault, Simple Assault

08:Misd./Property: Unlawful Trespass, Retail Theft

09:Misd./Drug: Possession of drugs

10:Misd./MotorV: Careless and Negligent Operation

11:Misd./Other: Violations Conditions of Release

Medication Assisted Treatment (MAT)

Community Prescriber: Newly incarcerated individuals who, upon intake, have a verified community prescription and elect to continue the medication.

Discontinuation: The prescription for MAT is terminated or suspended either by the provider or the patient themselves for one of the reasons listed below. If the patient wants to be re-assessed at a later date, meets criteria, and elects to participate, they can re-engage in MAT.

Diversion: The misuse of MAT either by providing it to another person or holding/hoarding medication and the provider has determined, based on medical necessity, to discontinue or taper their medication.

DOC Inducted: Incarcerated individuals who request assessment and consideration of MAT and who are found medically eligible and consent to treatment.

Medically Necessity: The provider may taper or discontinue a patient for their safety and wellbeing because of [contraindications](#) (other than diversion or sedation/impairment).

Maintained in the Facility (Community Prescriber): Incarcerated individuals from group 1 ("Community Prescriber") who continue receiving treatment initiated through a verified community prescription.

Maintained in the Facility (DOC Inducted): Incarcerated individuals from group 2 ("DOC Inducted") who continue receiving treatment.

Other: This is used when there is insufficient/unclear documentation to categorize the reason the patient discontinued or tapered MAT (prior to July 2022).

Patient Request: The patient makes a verbal or written request to taper or discontinue MAT.

Sedation/Impairment: The provider becomes aware of drug-induced sedation and impaired function and tapers the patient's dose because of medical necessity (taper only).

Taper: The gradual reduction of the dose of MAT for one of the reasons listed

above without the intent to completely terminate medication.

Recidivism

Recidivism: The Department shall calculate the rate of recidivism based upon offenders who are sentenced to more than one year of incarceration who, after release from incarceration, return to prison within three years for a conviction for a new offense or a violation of supervision resulting, and the new incarceration sentence or time served on the violation is at least 90 days. ([2011 Act 41 Section 5](#)).

Prison sentence: Sentenced to serve (maximum) more than one year. [US Department of Justice, Bureau of Justice Statistics](#))

Note: Due to these definitions:

- Recidivism does not include the incarcerated individuals released each year with a shorter "jail" sentence of one year or less; and
- The most up-to-date recidivism calculation is for three years prior to the current calendar year.

Risk to Reoffend

The DOC utilizes the Ohio Risk Assessment System (ORAS) to determine the risk to reoffend or commit another crime by individuals under the custody or supervision of the DOC.

Community Supervision Tool (CST): A tool within the ORAS that is administered to supervised individuals within two weeks of intake, three months after release from incarceration, annually, and/or upon significant changes in community status. The CST has four levels of risk, with scores accounting for gender differences: Low, Moderate, High, and Very High.

Prison Intake Took (PIT): A tool within the ORAS that is provided to all incarcerated individuals sentenced to serve a year or longer in a correctional

facility. Informs risk- reduction programming (RRP) eligibility. The PIT has four levels of risk, with scores accounting for gender differences: Low, Moderate, High, and Very High.

Reentry Tools: A tool within the ORAS that is administered to incarcerated individuals sentenced to a year or longer, six to eight weeks before being released. Reentry Tools have three levels of risk, with scores accounting for gender differences: Low, Moderate, and High.