

STATE OF VERMONT AGENCY OF HUMAN SERVICES DEPARTMENT OF CORRECTIONS	Risk-Intervention Services		Page 1 of 14
CHAPTER: PROGRAMS – CLASSIFICATION AND CASE PLANNING	#374	Supersedes: #371.06, #371.08, and #371.12, dated 12/30/02; #371.24, dated 09/10/04; #389, dated 01/02/91; IM on 371.06, <i>Suspension and Termination from Correctional Programs</i> ; IM: Changes to Current Administrative Directives Regarding Offenders Convicted of Sex Offenses	
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Nicholas J. Deml, Commissioner		Date Signed	Date Effective

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Policy #374, Risk-Intervention Services

PURPOSE

This policy outlines the role of the Risk-Intervention Services (RIS) Division and provides criteria for referrals for RIS.

AUTHORITY

28 V.S.A. §§ 1, 101, 120, and 721-726

POLICY

The Vermont Department of Correction's (DOC's) policy is to adhere to the correctional principles of Risk-Needs-Responsivity which inform the provision of services to incarcerated individuals. DOC provides risk-intervention services (RIS) to identified populations. The RIS Division combines evidence-based intervention strategies with correctional best practices, including gender-responsivity, to provide a range of services that address need areas correlated with reducing the risk of reoffending (i.e., criminogenic needs). The DOC integrates evidence-based and gender responsive best practices and risk assessments to inform more effective support to individuals who are incarcerated.

The RIS Division provides care-coordinated services in education, vocation, and behavioral and life skills. Services are provided in group or class cohorts, incorporating information such as specialized assessments, any evaluation materials, and any other relevant information. Intervention service plans are based upon the prioritization of the population, the population interests and the capacity to provide the services within the timeframes.

The DOC prioritizes services to incarcerated individuals in accordance with statutory obligations, as outlined in this policy.

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FACILITY-BASED RISK-INTERVENTION SERVICES

A. Overview of RIS

1. The RIS Division provides services in the following categories:
 - a. Adult learning, which includes basic education, certificate and diploma tracks, remedial skills, post-secondary partnerships, and industry recognized credentials;
 - b. Vocational training and career exploration, which includes industry recognized credentials and work experience, apprenticeships, vocational training partnerships, and career technical instruction; and
 - c. Clinical, behavioral, and life skills, which may include the following need areas:
 - i. Sexual, intimate partner, and other interpersonal violence;
 - ii. Consent, parenting, relationships, and antisocial cognitions and behaviors; and
 - iii. The impact of substance misuse on criminal behavior.
2. RIS staff support care coordination between the units of RIS, case management coordination with assigned Corrections Services Specialists (CSS) and Probation and Parole Officers (PPO), and external partners.

B. Facility Referrals for RIS

1. **Priority Population One: 22 and Under**

The assigned CSS shall refer incarcerated individuals who are aged 22 and under, regardless of their legal status, to Risk-intervention Services (RIS), as outlined in the OMS technical guide, for them to continue their education.
2. **Priority Population Two: Individuals Required to Participate in Services Prior to Release**

The assigned CSS shall refer incarcerated individuals in any of the following groups to RIS, as outlined in the OMS technical guide, no earlier than five years before their projected release date:

 - a. Individuals who are sentenced, have a minimum of 14 months left to serve prior to their maximum release date, and convicted of a crime in:

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- i. 33 V.S.A. § 5204; or
 - ii. 13 V.S.A. § 1042, 1043, 1044, 1062, or 1063, if they are assessed on any validated risk-to-reoffend assessment at medium or moderate to high risk;
 - b. Individuals who are sentenced, assessed on any validated risk-to-reoffend assessment at medium or moderate to high risk, who have a minimum of 14 months left to serve prior to their projected release date, and are convicted of a crime in 13 V.S.A. § 5301 other than those included in division a. of this subsection;
 - c. Individuals who are sentenced and convicted of a sex offense, are assessed at low risk on all administered risk assessments, and have a minimum of eight months left to serve prior to their projected release date;
 - d. Individuals who have been designated as a high-risk sex offender, upon designation;
 - e. Individuals who have received a risk-containment designation, in accordance with the policy on risk containment and have been approved to begin RIS, upon designation; or
 - f. Individuals who have had a central case staffing which required completion of RIS prior to community release.
3. **Priority Population Three: Individuals Not Mandated to Participate in Services Who Volunteer**
- The assigned CSS may refer other incarcerated individuals for RIS, who will be served based on capacity. Specific groups in this category include:
- a. Individuals who are sentenced, assessed on any validated risk-to-reoffend assessment at medium or moderate to high risk, are convicted of a crime in 13 V.S.A. §5301, and who have between 15 and 24 months left to serve prior to their projected release date and may need to start services earlier than otherwise required; and
 - b. Individuals who are sentenced, who have more than 24 months left to serve prior to their projected release date, and have expressed an interest in participating in services.
4. **Priority Population Four: Individuals Interested in College**
- The assigned CSS may refer any incarcerated individual interested in post-secondary education to RIS for screening of their eligibility and ability to participate.

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C. RIS Prioritization

1. Upon receipt of the referral, RIS staff shall:
 - a. Prioritize each incarcerated individual for RIS based on the above criteria;
 - b. Ensure the incarcerated individual receives all necessary assessments to evaluate their criminogenic needs, skills gaps, and responsivity factors; and
 - c. Develop an individualized RIS plan to address identified needs, gaps, and factors for individuals in priority populations one and two.
2. Incarcerated individuals are expected to participate throughout the process of RIS assessment and plan development, including any required additional forensic evaluation. Individuals who do not actively engage throughout this process may have their priority affected by their non-engagement.
3. The assigned CSS or PPO may request that an incarcerated individual be prioritized for RIS by requesting a central case staffing, when they are recommending the incarcerated individual reduce their risk prior to release but they are not otherwise eligible for RIS due to one of the following reasons:
 - a. The individual does not have enough time remaining to complete RIS in accordance with the timeframes in this policy;
 - b. They are not convicted of a crime in 13 V.S.A. §5301; or
 - c. Their risk assessment score is not high enough for them to be otherwise eligible for RIS.

D. Institutional Behavior That Can Impact Provision of RIS

1. Due to safety concerns, the facility administrative team, including the Superintendent, may determine that an incarcerated individual's behavior is such that their access to a part of the facility where RIS are delivered is restricted. In these cases, RIS may not be available until this is resolved.
2. Based on capacity and population prioritization, RIS staff may begin offering an incarcerated individual who cannot access RIS a skill-based curriculum for up to 12 weeks, as part of a coordinated behavioral plan, in preparation for that individual to participate in mandated RIS in general population.

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3. Based on capacity and population prioritization, RIS staff may determine that an incarcerated individual may not begin participation in RIS if their behavior is indicative of unwillingness or lack of motivation to control aggressive behavior.
4. RIS staff may modify the method or curriculum of services provided to incarcerated individuals based on their convictions or institutional behavior.

E. Available Services

1. RIS Education Unit

The RIS Education Unit offers educational assessment and prior education records review for incarcerated individuals that qualify for educational services. RIS Education Unit staff shall:

- a. Review assessments and prior education records and advise the incarcerated individual on their skill levels and current education attainment;
- b. Enroll incarcerated individuals in need of adult basic education instruction in courses to help build skills in literacy, math, reading, test preparation, test taking, note taking, study skills, and other skill necessary for success in the education setting, as appropriate;
- c. Offer the following services to incarcerated individuals without a high school diploma:
 - i. For those who wish to work toward a diploma, including those with a GED, accredited high school education through the Community High School of Vermont (CHSVT); or
 - ii. For those who wish to work toward their General Education Development (GED), General Education Development (GED) services;
- d. Support post-secondary education services;
- e. Provide special education services to eligible students under 22 years old with a previous special education eligibility; and
- f. Provide services to individuals who are eligible under Section 504 of the United States Rehabilitation Act of 1973 and are enrolled in CHSVT or an Industry Recognized Certification (IRC) course.

2. Vocational Unit

The RIS Vocational Unit:

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- a. Is housed in select facilities throughout the State. Each of these facilities has, at a minimum, a Workforce Development Coordinator or a Vocational Instructor; and
- b. Provides individual assessment, vocational services, and transitional services to incarcerated individuals, by:
 - i. Assessing incarcerated individuals' work readiness, interests, and skills using a validated vocational assessment, and use the results to inform services to develop the individual's work readiness;
 - ii. Providing training and workplace experiences, including welding, carpentry, manufacturing, and culinary services;
 - iii. Providing industry-recognized credentialing (e.g., NCCER, OSHA, ServSafe, ProStart);
 - iv. Working with external partners (e.g., Vermont Department of Labor, HireAbility) to:
 - a) Host enrichment events to educate incarcerated individuals on post-release services; and
 - b) Assist in the transition to employment opportunities and supports in the community; and
 - v. Help incarcerated individuals identify and overcome employment barriers prior to their release.

3. Behavioral and Clinical Health Unit

- a. The RIS Behavioral and Clinical Health Unit:
 - i. Provides risk-intervention behavioral and clinical services;
 - ii. Services focus primarily on addressing interpersonal violence and anti-social cognitions or behaviors; and
 - iii. Is led by a team of clinicians and trained interventionists.
- b. Behavioral and Clinical Health Unit services provide cognitive-behavioral interventions (e.g., interpersonal skills, coping skills, and emotional regulation) at select facilities throughout the State. These services are provided in groups, which may be supplemented by individual support.

F. ADA Process

- 1. RIS may make accommodations, in accordance with the Americans with Disabilities Act (ADA), in the provision of all its services.

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2. If the CSS has reason to believe that the incarcerated individual may need accommodations to participate in RIS, the CSS shall complete the ADA request form and submit it to the facility ADA coordinator.
3. The facility ADA coordinator shall forward the request form to the Central Office RIS team.
4. Upon receiving an ADA request form, or any other information that the individual may need accommodations, RIS Division Director, or designee, shall:
 - a. Verify whether the individual is, or will be, enrolled in RIS;
 - b. Request relevant information from any DOC Division or Unit that has:
 - i. Knowledge of the individual; or
 - ii. Provided them with services in the recent past;
 - c. Conduct a review of all relevant documentation, including information available in, or provided by:
 - i. The educational software system;
 - ii. The offender management system (OMS); and
 - iii. Contracted health and mental health services staff; and
 - d. Document the evidence in the educational software system and add the ADA request to the Central Office RIS team agenda for review.
5. The Central Office RIS team shall review the ADA request and make a determination based on the request and evidence. Possible outcomes include:
 - a. Approval;
 - b. Modification;
 - c. Denial, if the team determines that the incarcerated individual can access services through the standard support; or
 - d. Waiver or required services, if the team determines that the incarcerated individual shall be waived from specific mandated RIS requirements.
6. The Central Office RIS team shall:
 - a. Upload the reviewed request into the educational software system; and
 - b. Return the request form, with their determination, to the facility ADA coordinator.
7. The facility ADA coordinator shall:

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- a. Review and sign the returned request form;
 - b. If the request was modified or denied:
 - i. Send the request form to the Healthcare Services Division Director, or designee, for review and signature; and
 - ii. Send a copy of the reviewed request with all required signatures to the Central Office RIS team;
 - c. Regardless of the outcome, upload the reviewed request with all required signatures into OMS; and
 - d. Notify the assigned CSS of the Central Office RIS team's determination.
8. The assigned CSS shall notify the incarcerated individual:
- a. Of the ADA request determination; and
 - b. If the ADA request is modified or denied, that the incarcerated individual may:
 - i. Appeal the determination; or
 - ii. Ask to have another ADA request submitted if additional information becomes available or there is a change in their circumstance.
9. The Central Office RIS team shall upload any modified or denied ADA request, with all necessary signatures, into the educational software system.

G. Priority Population Two Refusal to Participate in Services

1. Incarcerated individuals who are in priority population two and refuse to participate in mandated RIS shall not be eligible for community supervision furlough (CSF) or a positive recommendation for parole.
 - a. The assigned CSS shall document their first refusal using the RIS interest form and upload it in OMS, in accordance with the OMS technical guide; and
 - b. Notify the incarcerated individual that it is their responsibility to inform the CSS if they become interested in participating in RIS. If the incarcerated individual expresses they are interested in participating in RIS, the CSS shall complete the referral and intake process if the incarcerated individual says they wish to engage.
2. If an incarcerated individual fails to complete the RIS interest and accountability forms within 90 days of stating their interest, it shall be considered a refusal to participate in services.

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H. Supportive Accountability Plans

1. Incarcerated individuals who participate in RIS shall sign RIS Agreement, which identifies the purpose and minimum expectations for successful participation in RIS.
2. RIS staff may review the participation of individuals whose statements and behaviors indicate they are not:
 - a. Interested in participating in RIS;
 - b. Willing to engage in learning and practicing new ways of thinking and behaving; or
 - c. Adequately progressing.
3. Only incarcerated individuals in priority population one and two are eligible for a supportive accountability plan (SAP). RIS staff may develop a SAP for an individual when:
 - a. The individual is learning new skills, but has not yet mastered those skills in managing problem behaviors; and
 - b. The behaviors do not represent a serious threat to the safety and security of the correctional facility or the successful learning of other RIS participants.
4. Incarcerated individuals for whom a SAP is developed may appeal being placed on the SAP through the standard grievance process.
5. There are four levels of SAP responses to behaviors that are categorized by RIS staff:
 - a. Level One
 - i. RIS staff address Level One behaviors in the environment they occur, and report them during weekly RIS team meetings.
 - ii. RIS staff may direct individuals placed on a Level One SAP may be directed to complete an additional assignment related to the problematic behavior, in order to problem-solve.
 - b. Level Two
 - i. RIS staff may address Level Two behaviors in the environment they occur, and shall report them during weekly program team meetings.
 - ii. The local team may consult with a subject matter expert to identify interventions.
 - iii. When an incarcerated individual is placed on a Level Two SAP, the RIS coordinator shall ensure:

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- a) The incarcerated individual is notified in writing; and
 - b) A RIS staff member reviews the notice with the incarcerated individual in person, and has them sign the notice.
 - iv. RIS staff:
 - a) Shall direct individuals placed on a Level Two SAP to identify barriers to success in RIS;
 - b) May direct individuals placed on a Level Two SAP to complete additional assignments related to the problematic behavior in order to problem-solve.
 - v. The following staff member shall deliver interventions and work with the individual on the SAP during regularly scheduled sessions:
 - a) The local unit head; or
 - b) The RIS coordinator, if the behavior occurs outside a service space (e.g., in a living unit).
 - vi. The local RIS team shall review individual's progress during local team meetings.
- c. Level Three
 - i. Level Three behaviors are of significant concern. In response to Level Three behaviors, the local team shall:
 - a) Follow the procedure for Level Two SAPs;
 - b) The local RIS team shall discuss and identify which staff member is responsible for delivering the interventions to the participant; and
 - c) Create the plan and forward it to the Central Office RIS team for review.
 - ii. The Central Office RIS team shall review the plan and either:
 - a) Approve the plan as written;
 - b) Modify the plan; or
 - c) Deny the Level Three SAP.
 - iii. A Level Three SAP may require demonstrated progress in order for the incarcerated individual to move on to the next quarter and continue participating in RIS.

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- d. Level Four
 - i. Level Four SAPs are used to identify incarcerated individuals who are no longer eligible to continue receiving RIS. An incarcerated individual may receive a Level Four SAP:
 - a) In response to violent behaviors that threaten the safety of others;
 - b) When there is a documented history of efforts to support the incarcerated individual and the individual is not making meaningful progress in the services; or
 - c) When information demonstrating that the individual is unable to make meaningful progress in the services, despite accommodations made for disability. The Central Office Case Staffing Committee shall review these cases.
 - ii. Staff shall refer an incarcerated individual with Level Four behaviors to the Central Office RIS team.
 - iii. The Central Office RIS team shall review the plan and either:
 - a) Approve the plan as written;
 - b) Modify the plan; or
 - c) Deny the Level Four SAP.
 - iv. A Level Four SAP shall include reapplication questions the incarcerated individual must complete prior to being considered eligible to restart services.
 - v. The assigned CSS shall notify an incarcerated individual with a Level Four SAP when they are eligible to reapply for RIS.
 - a) The incarcerated individual cannot reapply until they have demonstrated 3 months of behavior:
 - 1) Without any upheld disciplinary reports (DRs); and
 - 2) That is determined to be appropriate and indicates readiness to engage in RIS by their assigned CSS and RIS team.
 - vi. An incarcerated individual with a Level Four SAP may be readmitted to RIS as capacity permits and are not prioritized over referrals that have not had opportunity to engage in mandated RIS.
 - a) The RIS coordinator shall review the incarcerated individual's reapplication and make a determination as to whether the individual is eligible to restart services.

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- b) If the incarcerated individual is prohibited from accessing the RIS location, they shall not be re-enrolled in RIS until approved by the Central Office RIS Division, in consultation with the Facility Operations Division.
- c) When an incarcerated individual on a Level Four SAP is re-enrolled in RIS, staff shall place them on a Level Three SAP for additional support through structured interventions focused on the behaviors that resulted in their removal.

I. Unsuccessful Participation

- 1. Upon notification from RIS staff that an incarcerated individual has not made meaningful progress throughout multiple admissions in RIS, even with a demonstrated history of support, the CSS shall refer the case to the Central Office Case Staffing Committee.
- 2. The Central Office Case Staffing Committee shall review the case and make determination if the incarcerated individual shall no longer be considered for mandated RIS.