

Directive Error! Reference source not found. **Program Completion**

**STATE OF VERMONT
AGENCY OF HUMAN SERVICES
DEPARTMENT OF CORRECTIONS**

Directive: 425.02

Subject: Program Completion

Effective Date: September 28, 1998 **Review and Re-Issue Date:**

Supersedes: 2/15/96 **APA Rule Number:**

Recommended for approval by:		Authorized By:	
Signature	Date	Signature	Date

1. Authority:

1.1. VSA, Title 28, Section 102 & 103

2. Purpose:

2.1.

3. Applicability/Accessibility

3.1. All DOC staff.

4. Directive

4.1. In its Sentencing Options Manual, the Department defines the duration of the programs and services offered in the risk management track. This directive:

4.1.1 Establishes the presumptive completion dates from risk management probation and parole programs, intermediate sanction programs and furlough re-integration program.

4.1.2 Establishes a process to assess offenders who have reached presumptive release dates to determine if they should remain in their assigned risk management program.

4.2. Superintendents of Community Correctional Service Centers and CRSU Supervisors/Managers will ensure that all staff are trained in this directive and will establish procedures to ensure that program completion assessments are being completed in a timely manner.

4.3. Assessing Offenders in all Risk Management Programs When They Reach Their Presumptive Release Date:

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4.3.1 During the month an offender reaches his/her presumptive release date from the risk management program, the assigned Correctional Services Specialist (CSS) will assess the case. The assessment will serve two purposes:

4.3.1.1 To determine if there are factors present in the case that indicate a need for the offender to continue in the assigned risk management program.

4.3.1.2 To determine if the offender has addressed his/her criminogenic needs while in the program.

4.3.2 In completing the assessment, the CSS will review the case history against the criteria listed below. If none of these factors are present, the CSS shall discharge the case from the assigned risk management program. If a CSS feels there is a compelling reason to keep the offender in the assigned risk management program beyond the presumptive completion date, the CSS will staff the case with the supervisor who will approve or deny the request.

4.3.2 After assessing the offender's case, the CSS will complete the Program Completion Assessment Form, (425.02-A). The form will be kept in the file. ,

4.4 Re-assessing Offenders Continued in a Risk Management Program:

4.4.1 If the offender is continued in the assigned risk management program, he/she will be reassessed at least every three months using the process described above.

4.5 Criteria for Retaining an Offender in Current Risk Management Program:

4.5.1 If either of the two criteria listed below can be applied to the offender's case, the offender must be retained in the current risk management program.

4.5.1.1 Pending violations of probation/parole/furlough/SCS or new criminal charges.

4.5.1.2 Offender has not fulfilled specific court/parole board/DOC requirements or conditions related to criminogenic needs or has not completed program completion criteria for the assigned risk management program.

4.5.2 If any of the three criteria listed below can be applied to the offender's case, the Supervisor/Manager may authorize continuing the offender in the assigned risk management program:

4.5.2.1 A history of violation behavior or new criminal convictions during participation in the program.

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4.5.2.1 Substantial non-compliance with or resistance to supervision.

4.5.2.3 Offender's current situation indicates a significant risk to public safety that can be met in his/her current risk management program.

4.6 Assessing Offenders In Risk Management Programs Prior to Presumptive Release Date:

4.6.1 The CSS may assess offenders in risk management programs before they reach their presumptive completion date if he/she believes the offender has completed the risk management program, case plan objectives and/or court requirements in an exemplary manner. Offenders who have violations of conditions or new crimes pending cannot be assessed prior to reaching their presumptive release date.

4.7 Risk Management Probation:

4.7.1 Offenders assigned to the Risk Management Probation Program will remain in the program for at least six months and no longer than 18 months, irrespective of the length of the suspended sentence. Except where the above rule applies, the presumptive completion date for offenders in the Risk Management Probation Program occurs at one half of the minimum suspended sentence (or one half the entire sentence if a flat sentence).

4.7.2 After completing the assessment in accordance with this directive (pg. 2, Assessing All Offenders In All Risk Management Programs When They Reach Their Presumptive Release Date), there are three options available:

4.7.2.1 Request a discharge from probation; or

4.7.2.2 Continue the offender in the Risk Management Probation Program; or

4.7.2.3 Transfer the offender to the probation program in the CRSU if the offender owes' fines, fees or restitution, if other conditions of probation preclude discharge from probation, if a request to discharge a case has been denied by the court.

4.8 Transferring Cases to the Probation Program in CRSU:

4.8.1 Because offenders in the probation program do not receive supervision, probation cases should be transferred to CRSU for only two reasons:

4.8.1.1 A petition to discharge the case from probation has been filed and rejected by the court.

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4.8.1.2 The offender has fines, restitution, financial or technical obligations which prevents the supervising CSS from requesting a discharge from probation.

4.8.2 Probation cases should not be transferred to the probation program in a CRSU for the purpose of receiving supervision at a lower level than they received in the Risk Management Probation Program. Monitoring of conditions is the only service provided in the probation program in the CRSU. It is recommended that when transferring a case, which has been in Risk Management Probation, to the probation program in a CRSU that conditions requiring active supervision by a CSS be struck via a modification of probation order.

4.9 Risk Management Probation Program for Sex Offenders:

4.9.1 The presumptive completion date for sex offenders in the Risk Management Probation Program will be 42 months. The intensive clinical portion of the program is designed to be two years in duration and the maintenance portion is a year for completion.

4.9.2 During the intensive phase, the offender will participate in a weekly specialized sex offender group. Completion of five treatment goals will be required before completion of the intensive clinical phase. The treatment goals are as follows:

4.9.2.1 Accept responsibility and modify cognitive distortions,

4.9.2.2 develop victim empathy,

4.9.2.3 control sexual arousal,

4.9.2.4 improve social competence, and

4.9.2.5 develop relapse prevention skills.

4.9.3 The treatment provider will submit a written assessment of the offender's progress to the department after the first 12 months of treatment and every six months thereafter. In the report, the treatment provider will assess the offender's progress with the criteria described above. In the written assessment report (after two years of treatment), the service provider will describe the offender's progress with treatment goals.

4.10 The Probation Program for Domestic Abusers:

4.10.1 The presumptive release date for offenders in the probation program for domestic abusers follows the same rules as the Risk Management Probation/Parole Program, except that an offender cannot be discharged from the Domestic Abuser Probation Program until they have completed the

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Domestic Abuse Education Program as defined in the "Vermont Department of Corrections Statewide Standards for Domestic Abuse Intervention."

4.11 Parolees on Risk Management Parole:

4.11.1 The presumptive completion date for high and medium high parolees supervised by the CCSC is one year from the parole date. Procedures for assessment described in the Risk Management Probation Program section above will apply except as it applies to requesting a discharge as parolees must remain on the department's caseload until their sentence expires.

4.12 Sex Offenders on Risk Management Parole:

4.13 Sex offenders supervised under risk management parole will be supervised in the same manner as probationers, as outlined above in the section discussing sex offenders on risk management probation. .

4.14 Intensive Domestic Abuse Program (IDAP):

4.14.1 The presumptive release date for offenders placed in IDAP is 15 months from entry. For other program completion issues, offenders in IDAP are treated the same as offenders in other risk management intermediate sanctions programs.

4.15 Risk Management Intermediate Sanctions:

4.15.1 The presumptive release date for risk management intermediate sanctions programs is nine months. The intensive phase of the intermediate sanctions program is six months. All offenders who complete the intensive phase of the program will be in an aftercare phase for three months. When an offender has completed the risk management intermediate sanctions program, his/her case will be transferred to other risk management programs as follows:

4.15.1.1 For Offenders on Pre-approved Furlough:

4.15.1.1.1 If the offender has not reached his/her minimum sentence, he/she will be placed in the FR program and remain in that program until paroled.

4.15.1.1.2 After the offender is paroled, he/she will be placed in the Risk Management Probation/Parole Program and remain in that program for at least one year after being paroled.

4.15.1.2 For Offenders on Supervised Community Sentence:

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4.15.1.2.1 If an offender has not reached his/her minimum sentence, he/she will be placed in the FR Program until they reach their minimum release date.

4.15.1.2.2 Once an offender who has completed the Risk Management Intermediate Program reaches their minimum sentence, the CSS can either request a discharge from SCS or recommend that the offender be placed on parole. If an offender is not discharged from SCS after reaching his/her minimum sentence, he/her will be transferred to the risk management probation and parole program. The presumptive release dates for the risk management parole program will apply.

4.16 Assessment Criteria for the Risk Management Intermediate Sanction Program:

4.16.1 The Director of Correctional Services will establish and publish program completion criteria for each of the risk management intermediate sanctions programs. The general criteria for completion of risk management intermediate sanctions programs are:

4.16.1.1 The offender must have been in the intensive phase of the program for at least six months (12 months for IDAP).

4.16.1.2 The offender must have participated successfully in the program for three consecutive months prior to being considered for program completion. Successful participation must include:

4.16.1.2.1 Attending a substantial proportion of scheduled meetings and activities offered in the program.

4.16.1.2.2 Acting appropriately in scheduled meetings and activities.

4.16.1.2.3 Completing assignments and other specific program expectations placed on them as part of their participation in the program.

4.16.1.2.4 Meeting goals for criminogenic needs established in the case plan. (This includes Restart requirements.)

4.16.1.3 The offender must not have a new crime, rule infraction or program violation pending.

4.17 The Furlough Reintegration Program (FR):

4.17.1 The presumptive release date for offenders on furlough reintegration is six months.

4.18 Recommendation for Parole on Offenders in the Furlough Reintegration Program:

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4.18.1 An offender who reaches his/her minimum release date during the FR program may be recommended for parole if the CSS believes that the offender meets the eligibility criteria outlined in title 28, chapter 7, section 501, "Eligibility For Parole." If the Board does not parole the offender, he/she will remain in the FR program at least until they reach his/her presumptive release date.

4.19 Transfer of Offenders to Other Risk Management Program Who Have Successfully Completed the FR Program but who are not Paroled by the Board:

4.20.1 An offender who has completed the FR program successfully and who has been denied parole by the board will automatically be retained in the FR program for six (6) additional months after denial of parole (unless paroled during that time). After six months, the case will be reassessed. If the offender meets the criteria for completion of the FR Program, the case will be to the Risk Management Probation and Parole Program. The offender will remain in this program until paroled. Once paroled the program completion criteria for parole will be in effect.

4.20 Completion Criteria for the FR Program:

4.20.1 Must have a suitable residence and job

4.20.2 Must have been free of DRs, violations of furlough for at least three consecutive months prior to the assessment/re-assessment.

4.20.3 Must not have any crimes pending

4.20.4 Must have completed all conditions of furlough related to his/her criminogenic needs.

4.21 Completion Criteria in Program Description:

4.22 In each program description, the program will articulate the specific requirements for completion of the local program. (See Program Descriptions Format and Instructions).

5 Training Method

5.1

6 Quality Assurance Processes

6.1

7 Financial Impact:

8 References

9 Responsible Director and Draft Participants