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Releases/Community Supervision

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# Arizona Department of Corrections

## Department Order Manual



  
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## **PURPOSE**

This Department Order establishes processes and duties for the Community Corrections Bureau, which is to protect the public through community-based supervision of offenders upon release from an institution, and/or accepted under the Interstate Compact (ISC) until expiration of their term of supervision. To assist offenders in successfully transitioning into the community through evidence-based practices, and to provide needed administrative support for those functions to meet statutory mandates.

## **APPLICABILITY**

This Department Order does not apply to private prisons.

## **PROCEDURES**

### **1.0 RELEASE PROCEDURES**

- 1.1 Pre-release Investigations – Community Corrections shall conduct pre-release investigations of all proposed community placements for offenders releasing to Department Community Supervision and those requesting Interstate Compact (ISC) to Arizona, under the terms of the ISC for offenders and parolees.
  - 1.1.1 Upon receipt of the pre-release packet prepared by an institution, as outlined in Department Order #1001, Inmate Release System or submitted by the sending state, under the terms of the ISC for offenders and parolees, the Community Corrections Supervisor (CCS)/Community Corrections Officer (CCO) Senior shall ensure all pre-release investigations are reviewed and assigned to the appropriate CCO within three workdays of receipt for completion of the pre-release investigation.
  - 1.1.2 The CCS/CCO Senior shall ensure pre-release investigations are completed in compliance with due dates as follows:
    - 1.1.2.1 Metropolitan offices may be assigned 15 workdays for completion. Extensions may be granted, if applicable.
    - 1.1.2.2 Rural offices may be assigned 30 workdays for completion. Extensions may be granted, if applicable.
  - 1.1.3 Statutory Global Positioning System (GPS)/Electronic Monitoring (EM) – Placement for offenders requiring GPS/EM may be available in any geographic area to be determined by current Community Corrections practice and capability.
  - 1.1.4 The CCO shall include Conditions of Supervision and Release, Form 1002-3, specific reporting instructions and any other required special conditions with the pre-release authorization for all Registerable/Notifiable Sex Offenders, Validated Security Threat Group (STG), Maximum/Intensive supervision level and Home Arrest offenders.
- 1.2 Post Release Investigations - If an offender changes residence after release, the CCO shall complete an investigation of the new residence.

- 1.3 35-Day Administrative Supervision - Non Reporting - Inmates/offenders being released to Community Supervision under the jurisdiction of the Community Corrections Bureau may be placed under 35-Day Administrative Supervision upon determination of eligibility as follows:
  - 1.3.1 Eligibility Criteria - Inmates/offenders that are releasing to the supervision of the Community Corrections Bureau with 35 calendar days or less of Community Supervision.
    - 1.3.1.1 Inmates/offenders shall be required to sign and adhere to the Conditions of Administrative Supervision and Release-Non Reporting form, 1002-3NR in order to be accepted for 35-Day Administrative Supervision.
  - 1.3.2 Exclusionary Criteria - The following categories are ineligible:
    - 1.3.2.1 Arizona Board of Executive Clemency granted releases
    - 1.3.2.2 Transition Program/Drug Transition Program legislative releases
    - 1.3.2.3 Inmates/offenders assessed as Maximum, Intensive and/or high risk
    - 1.3.2.4 Sex Offenders
    - 1.3.2.5 Seriously Mentally Ill or high need General Mental Health
  - 1.3.3 Discretionary Criteria - The Community Corrections Bureau has discretionary authority to determine eligibility based upon public safety, the best interest of the inmate/offender and the Department.
- 1.4 Release Unit Procedures – The Community Corrections Release Unit shall:
  - 1.4.1 Process offender releases in accordance with Department Order #1001, Inmate Release System and Department Order #1002, Inmate Release Eligibility System.
  - 1.4.2 Provide the institution Offender Information Unit with the pre-release authorization, the appropriate Conditions of Supervision and Release form.
    - 1.4.2.1 The Conditions of Supervision and Release form shall be signed by the inmate prior to release for all programs.
  - 1.4.3 Assign all Detainer Release programs to the Warrant Services/Hearings Unit Supervisor or designee for appropriate tracking/action. The Release Unit shall include a Conditions of Supervision and Release form directing the offender to contact the Warrant Services/Hearings Unit, if released from the detainer prior to the expiration of their Community Supervision term. Additional special conditions shall be included, if applicable (i.e., Sex Offender Conditions, STG conditions, etc.).
- 1.5 Home Arrest Release Process
  - 1.5.1 After receipt of the final verification of release eligibility from the Offender Services Bureau - Time Computation Unit, as outlined in Department Order #1001, Inmate Release System, the designated Community Corrections Bureau staff shall forward the Pre-Release Investigation Report and Release Authorization form to the Community Corrections Bureau Release Unit for release scheduling.

- 1.5.2 All inmates on Home Arrest shall be considered on "Inmate" status as outlined in Department Order #1001, Inmate Release System.
- 1.5.3 The Community Corrections Bureau Release Unit shall send an electronic communication to the appropriate institution Offender Information Unit and the supervising CCO. The electronic communication shall be sent approximately four workdays prior to the scheduled release and shall include the following information:
  - 1.5.3.1 Release authorization upon Time Computation Unit verification.
  - 1.5.3.2 The scheduled date of release.
  - 1.5.3.3 The offender's reporting instructions to the supervising CCO.
- 1.5.4 The supervising CCO shall contact the proposed sponsor within one workday prior to a scheduled release to ensure the sponsor is aware of the offender's responsibility to report.
- 1.5.5 The Duty Officer shall provide the Central Office Communications Center with information no later than 5:00 PM regarding alarms or issues with equipment. Information provided shall include the offender name, address and phone number.

## **2.0 DISCLOSURE OF INFORMATION - COMMUNITY AND OUTSIDE AGENCIES**

- 2.1 The Community Corrections Bureau staff shall only disclose information considered public record in accordance with Department Order #901, Inmate Records Information and Court Action as authorized recipients of non-public information or when an offender has signed the Authorization to Release Information, Form 923-5, for the agency requesting information.
  - 2.1.1 In accordance with Department Order #1102, Communicable Disease and Infection Control, the Community Corrections Bureau staff shall not disclose Human Immunodeficiency Virus (HIV)/Acquired Immune Deficiency Syndrome (AIDS) information.
  - 2.1.2 Interstate Compact Files – ISC file documents generated by the sending state are confidential and the ISC Unit shall request the sending state permit release of these documents. ISC file documents generated by the Department may be released in accordance with Department Order #201, Legal Services – Records Release.
  - 2.1.3 Sex Offender Files – Sex offender files are confidential and are utilized for use in the statutory processes of Sex Offender Registration, pursuant to Arizona Revised Statute (A.R.S.) §13-3821; Community Notification, A.R.S. §13-3825 and the civil commitment of Sexually Violent Persons (SVP) Notice of Release; Referral; Immunity, A.R.S. §36-3702.
  - 2.1.4 Medical/Mental Health Information shall not be disseminated/disclosed to any person outside of designated authorized recipients, in accordance with Department Order #1104, Inmate Medical Records or without the signed consent of the offender, Authorization to Release Information form.
  - 2.1.5 Department records requests from any external entity shall be referred to the Legal Services, Public Access Unit.

## 2.2 Cooperation with Law Enforcement/Use of Informants

### 2.2.1 Community Corrections Bureau staff shall adhere to the following:

- 2.2.1.1 Communicate and interact with law enforcement officials in relation to their established duties with the Department.
- 2.2.1.2 Provide information to law enforcement officials, as outlined in this Department Order.
- 2.2.1.3 Not act as an agent for any law enforcement agency.
- 2.2.1.4 Not permit offenders under supervision to act as an informant for any law enforcement agency without the written permission of the Director or designee.
- 2.2.1.5 Requests from outside agencies shall be submitted formally on requesting agency letterhead detailing specific request and submitted, through the Community Corrections Operations Director or their designee, to the Department Inspector General for review.
- 2.2.1.6 When Community Supervision is terminated due to a revocation of release, include the Arizona Board of Executive Clemency (ABOEC) action documentation.

## 2.3 Victim Notification/Victim Contact Requirements

- 2.3.1 Upon any dialogue with an individual that identifies themselves as the victim of a Department offender, the Community Corrections Bureau staff member shall document the contact to include caller's stated identity, contact information and content of call. The information regarding Community Supervision offenders may only be disseminated in accordance with the following departmental disclosure policies: Department Order #901, Inmate Records Information and Court Action; Department Order #201, Legal Services - Records Release; and Department Order #526, Victim Services.
- 2.3.2 The caller may be referred to the Department's Office of Victim Services, Legal Services - Public Access Unit, and the Department Constituent Services Unit when deemed appropriate.
- 2.3.3 The Community Corrections Bureau staff shall provide information to the following units upon request: the Office of Victim Services (i.e., [azvictims@azadc.gov](mailto:azvictims@azadc.gov)) Legal Services, Public Access Unit and the Constituent Services Unit.
- 2.3.4 In the event of an offender's absconding or death while serving Community Supervision, any notifications to victims shall be completed by the Department's Office of Victims Services.

## 3.0 **DOCUMENTATION AND CASE FILES** – Offender case files are established in accordance with Department Order #901, Inmate Records Information and Court Actions.

- 3.1 Department Database Requirements – All offender case management documentation shall be completed in the designated Department of Corrections and Interstate Compact for Offender Tracking System databases. Entries shall be made for each offender at the time of initial contact/intake and throughout the term of supervision.
- 3.2 Files of Supervised Offenders - Arizona Cases – The CCO shall establish a case file for each offender under active Community Supervision. The CCS/CCO Senior shall designate a secure area in which the file is maintained. All files shall remain within the Community Corrections Office. All documentation that individuals have signed and or refused to sign shall be maintained in the ADC database(s) or case file.
  - 3.2.1 Case Terminations – Completion of Supervision and Revocations – Case closeout packets shall be forwarded to the Offender Services Bureau, Central Office Offender Information Unit, within 30 calendar days after termination.
    - 3.2.1.1 When Community Supervision is terminated due to Maximum Expiration of Sentence (SED), Earned Release Credit Date (ERCD), or Community Supervision End Date (CSED), the CCO shall forward the completed Case Closeout Packet to the CCS/CCO Senior for review/tracking within 20 calendar days. The CCS/CCO Senior shall complete any required action and forward the completed closeout packet to the Central Office Offender Information Unit within 10 calendar days.
    - 3.2.1.2 The CCO shall terminate the case within one workday of the completion of Community Supervision.
  - 3.2.2 Case Suspensions/Absconders – When active supervision is suspended due to an offender's absconding, the CCS/CCO Senior shall designate a secure location in the Community Corrections Office for the case file until such time the offender has been apprehended. Case files shall be activated/processed based upon the determination of the offenders' status.
  - 3.2.3 Case Termination for Death - When supervision is terminated due to an offender's death, the CCO shall obtain verification documentation (i.e., death certificate or the Social Security Death Index).
    - 3.2.3.1 The CCS shall forward case file documentation within one workday to the Central Office Offender Information Unit.
      - 3.2.3.1.1 For an Absconder, the CCS or designee shall log the terminated case and forward death certificate to the Warrant Services/Hearings Unit for Arizona Criminal Justice Information System entry.
      - 3.2.3.1.2 Upon receipt of death certificate from the CCS, or designee the Warrant Services/Hearings Unit staff shall complete the Arizona Criminal Justice Information System and designated ADC documentation, attach the death certificate to the absconder warrant and forward to the Central Office Offender Information Unit.

3.3 Files of Supervised Offenders – Interstate Compact (ISC) Cases – Upon receipt of an ISC transfer request packet from a sending state, the ISC Unit shall complete the ISC tracking log, and send the ISC Transfer Request Packet to the investigating Community Corrections office via Interstate Compact Offender Tracking System (ICOTS). Upon ADC Community Corrections acceptance of ISC supervision, the CCO shall establish a case file.

3.3.1 The CCO shall forward copies of all original documentation received directly from the sending state to the ISC Unit for inclusion in the ISC Unit case file while the case is under active supervision.

3.3.2 Upon receipt of a sending state's certificate, notification of discharge or expiration of sentence from the Supervision End Date (SED) noted in ICOTS, the CCO shall complete the following:

3.3.2.1 Deliver or mail a copy of the discharge to the offender, if applicable.

3.3.2.2 Complete a Case Closure Notice upon the discharge or expiration date noted in ICOTS.

3.3.2.3 If an offender absconds from supervision, a Case Closure Notice and Violation Report shall be completed.

3.3.3 Forward the case file within one workday of the completion of the Case Closure Notice to the ISC Unit with all field file documents.

**4.0 SUBSTANCE ABUSE TESTING AND LEGALLY PRESCRIBED MEDICATION** – In accordance with Department Order #709, Substance Abuse, Detection and Control, Community Corrections Bureau staff shall employ substance abuse prevention and interdiction techniques in a community setting.

4.1 General Guidelines

4.1.1 The offender shall be required to provide verification of all legally prescribed medications during the term of supervision.

4.1.2 The CCO and CCS/CCO Senior may request a urinalysis, oral swab, blood sample, breathalyzer from any offender under active supervision of the Community Corrections Bureau at any time.

4.1.3 The Community Corrections Bureau maintains contracts with outside vendors to collect and test urine samples. Urinalysis collection and testing is conducted in accordance with the Department contract. Urinalysis samples shall be the preferred method of testing.

4.1.4 Oral swab testing, blood samples and breathalyzer may be used as dictated per the situation or in areas where there is no immediate testing laboratory. Samples shall be collected and processed in accordance with the contract.

4.1.5 All offenders mandated to substance abuse testing by the ABOEC, the sending state or the Department shall be required to submit to substance abuse testing through the Department contracted vendor.

4.1.6 Offenders assigned to substance abuse testing shall be assessed the standard fee one time per month regardless of the testing frequency.



- 4.1.7 In addition to the standard established procedures outlined in this section, Community Corrections Centers may conduct supplementary required program substance abuse testing in accordance with Department Order #1006, Reentry Center.
  - 4.1.8 Offenders may obtain confirmation test results at their own expense.
  - 4.1.9 If the results are positive, the CCO shall impose an intervention/sanction and possible referral for substance abuse programming/treatment.
  - 4.1.10 If an offender fails to comply with substance abuse testing and/or subsequent programs, the CCO shall impose an intervention/sanction.
- 4.2 Medical Marijuana – CCOs supervising offenders who are seeking authorization to use medical marijuana as a qualifying patient or to act as a designated caregiver or to work as a dispensary agent, in accordance with Arizona state law and the Arizona Department of Health Services Medical Marijuana Program shall comply with the following procedures.
- 4.2.1 Verifying Medical Marijuana Status – If an offender advises the CCO that he/she is a qualifying patient, is a designated caregiver or is a nonprofit medical marijuana dispensary agent, the CCO shall:
    - 4.2.1.1 Request the offender provide a copy of his/her Arizona Department of Health Services (DHS) issued registry identification card.
    - 4.2.1.2 Verify and document the validity of the presented DHS issued registry identification card, via the Arizona Medical Marijuana Card Verification website to include the 20-digit alphanumeric registry identification card number, the card issue date, the date the CCO verified the website information and the offender medical marijuana status (qualifying patient, designated caregiver or dispensary agent). Designated caregivers and dispensary agents are prohibited from the use of medical marijuana.
  - 4.2.2 When Verification of a Qualifying Patient Cannot be Established – If the offender claims to be a qualifying patient, but declines to provide his/her DHS issued registry identification card, statutory medical marijuana use is prohibited. The CCO shall advise the offender that their marijuana use is a violation of Conditions of Supervision, until he/she provides verification and require the offender to sign the Directive/Lawful Order-Medical Marijuana, Form 1002-3A.
  - 4.2.3 Supervision of Offenders Authorized to Use Medical Marijuana as a Qualifying Patient. The CCO shall:
    - 4.2.3.1 Advise the qualifying offender that the law does not authorize the use of medical marijuana in any correctional facility. (A.R.S. §36-2802(B)(3)). This shall apply to jails, Community Correction Centers and any other area designated as Correctional property.
    - 4.2.3.2 Require that offenders provide proof of their annual renewal DHS issued registry identification card.

- 4.2.3.3 Require that offenders provide an immediate update in their medical marijuana status anytime a change occurs.
- 4.2.4 Searches – If marijuana is located in the offenders' place of residence or vehicle/property, the CCO shall be authorized to request to view the current DHS issued registry identification card from the offender and any individual directly associated for verification of lawful use of medical marijuana.
- 4.2.5 Offenders with an Out-of-State Authorization – If an offender produces documentation that he/she is authorized to use medical marijuana as a qualifying patient in another state, the CCO shall adhere to the following procedures.
  - 4.2.5.1 Advise the offender that a visiting qualifying patient is defined as a non-resident of Arizona or an Arizona resident for less than 30 calendar days. (A.R.S. §36-2801)
  - 4.2.5.2 If the offender plans to remain in Arizona for supervision and is seeking authorization to use medical marijuana as a qualifying patient he/she shall apply for an Arizona registry identification card through the DHS website ([www.azdhs.gov](http://www.azdhs.gov)).
  - 4.2.5.3 Once the offender provides a copy of the Arizona State DHS issued registry identification card, the CCO shall verify the validity.
  - 4.2.5.4 Compact (Incoming Offenders Considerations) – Offenders sentenced out of state who are qualifying patients in the sending state and seeking transfer to Arizona shall be required to comply with the Arizona law and Conditions of Supervision.
  - 4.2.5.5 Interstate Compact Outgoing Offender Considerations – For offenders who are qualifying patients seeking ISC supervision in another state, the following considerations shall apply:
    - 4.2.5.5.1 If the receiving state has a medical marijuana law, the offender shall adhere to supervision conditions related to medical marijuana in that state.
    - 4.2.5.5.2 If the receiving state does not have a medical marijuana law, the offender shall not use medical marijuana in that state.
    - 4.2.5.5.3 Prior to applying for Interstate Compact, the CCO shall discuss with the offender the statutes and supervision conditions in potential receiving states.
- 4.3 Medication Assisted Treatment (MAT), including opioid treatment programs (OTPs), is the use of legally prescribed medications in combination with counseling and behavioral therapies for the treatment of substance use disorders. The offenders are required to provide documentation of their medicated assisted treatment prescription and treatment program plan(s).

## 5.0 SEX OFFENDERS

- 5.1 The Sex Offender Coordination Unit (SOCU) shall complete statutory sex offender reviews of Arizona pre-release packets and ISC packets, to determine the requirement for Sex Offender Registration pursuant to A.R.S. §13-3821, Community Notification pursuant to A.R.S. §13-3825 and Sexually Violent Person review A.R.S. §36-3701.
- 5.1.1 Upon receipt of a pre-release packet prepared by an institution as outlined in Department Order #1001, Inmate Release System, the Community Corrections Release Unit shall review the packet to determine if a sex conviction/sexually motivated conviction exists that requires review by the SOCU for determination of statutory sex offender requirements.
- 5.1.2 Upon receipt of an Interstate Compact packet from the sending state, the ISC Unit shall review the packet to determine if the offender may be subject to Sex Offender Registration/Community Notification, pursuant to A.R.S. §13-3821 and §13-3825. If the possibility of Registration/Community Notification requirements is indicated, the ISC Unit shall forward the packet to the SOCU for review and determination of sex offender status.
- 5.1.3 Interstate Compact Sex Offender Arrivals to Arizona – Upon arrival to Arizona for supervision, the supervising officer shall notify the SOCU and ISC unit of arrival, request the ADC number, provide the deoxyribonucleic acid (DNA) date and the date the offender was notified of obligation to complete sex offender registration, pursuant to A.R.S. 13-3821.
- 5.1.4 Sex Offender Community Placement Investigations – These guidelines apply to an offender whose criminal history includes a conviction(s) for a sex offense and/or a conviction(s) for a crime with the intent to commit a sex offense.
- 5.1.4.1 When completing the investigation, the CCO shall:
- 5.1.4.1.1 Conduct a face-to-face interview with the proposed sponsor, unless the sponsor indicates, via phone conversation with the CCO, that the sponsor is unwilling to provide a residence for the offender.
- 5.1.4.1.2 Ensure residency restrictions and electronic monitoring requirements are in accordance with current statutory requirements.
- 5.1.5 If the offender is subject to Registration/Community Notification, the CCO shall obtain the sponsor's signature on the Consent to Placement – Convicted Sex Offender, Form 1003-25.
- 5.1.5.1 If the proposed residence is a multi-dwelling rental/lease property, and the offender is subject to Registration/Community Notification, the CCO shall obtain signed consent from the sponsor and the responsible leasing/rental authority.

- 5.1.5.2 If the proposed residence is privately owned (i.e., single family home, mobile home, townhome, condo, etc.), and the offender is subject to Registration/Community Notification, the CCO shall obtain the sponsor's signature on the Consent to Placement - Convicted Sex Offender form.
- 5.1.6 Prior to forwarding the Pre-Release Investigation Report and Release Authorization form to the Release Unit, the CCO and the CCS/CCO Senior shall verify that DNA testing was completed in accordance with the Health Services Technical Manual. If an Arizona offender is released to supervision prior to completing DNA testing, and subsequently refuses to submit a DNA test, the CCO shall return the offender to custody and initiate due process.
- 5.1.7 The ability to facilitate GPS/EM requirement shall be determined by Community Corrections capability in geographic areas.
  - 5.1.7.1 The Department ISC Deputy Compact Administrator shall make the final approval of acceptance of ISC cases.
- 5.1.8 Conditions of Supervision - Sex Offenders – The CCO shall supervise all Registerable/Notifiable sex offenders as either Maximum or Intensive risk level for the full term of supervision, as outlined in this Department Order.
- 5.1.9 Homeless Sex Offender Releases – Special Sex Offender Conditions shall be imposed for Registerable/Notifiable sex offenders releasing without an approved community placement. The offender shall not reside or associate with children under the age of 18 years of age.
- 5.1.10 The CCO shall impose Sex Offender Conditions #13 (A-I) Form 1002-3SO, on all convicted Registerable/Notifiable sex offenders. If the sex offense committed was against a child, Condition #13, Conditions of Supervision - Sex Offender Conditions form (section J-O) shall be imposed.
- 5.1.11 Sex Offender Registration/Community Notification, Treatment and Employment - The CCO shall refer convicted sex offenders to sex offender treatment and other relevant programming.
  - 5.1.11.1 If sex offender treatment is unavailable in the geographical area where an offender lives, appropriate alternative programming shall be determined.
- 5.1.12 The CCO shall have the offender sign all relevant Sex Offender Registration/Notification Requirements and Conditions of Supervision forms.
  - 5.1.12.1 If an offender was registered prior to release from a Department prison, in accordance with Department Order #1001, Inmate Release System, the SOCU shall maintain a copy of the completed registration form in the special purpose file.
  - 5.1.12.2 In accordance with statutory requirements, the CCO shall instruct, ensure and verify all Registerable/Notifiable offenders, including ISC offenders update their sex offender registration with the local sheriff's office.

- 5.1.13 The level and method of Sex Offender Community Notification shall be determined by the local law enforcement agency having residential jurisdiction.
- 5.1.14 If an offender is subject to Registration/Community Notification, the CCO shall verify within 30 calendar days that the offender's employer has been informed of the offender's sexual conviction history.
- 5.1.15 The CCS/CCO Senior shall approve all residential placements and employment for any offender defined in this section.
- 5.1.16 GPS/EM Required for Sex Offenders – The GPS/EM shall be conducted in accordance with A.R.S. and the Department mandates.

## 5.2 Sex Offender Coordination Unit/Statutory Assessments

- 5.2.1 Sex Offender Registration/Community Notification/Sexually Violent Persons Review (SVP) shall be conducted in accordance with Department Order #1001, Inmate Release System. Department institutions are required to identify possible sex offenders and provide a pre-release sex offender packet to the SOCU one year prior to the inmate's release date. Upon receipt of the sex offender packet, the SOCU shall:
  - 5.2.1.1 Complete the review and determine statutory requirements pursuant to Sex Offender Registration (A.R.S. §13-3821), Community Notification (A.R.S. §13-3825), and Sexually Violent Persons (SVP) Notice of Release; Referral; Immunity (A.R.S. §36-3702).
  - 5.2.1.2 Submit the Department of Public Safety (DPS) Sex Offender Registration Form to the releasing Department institution for completion no more than ten business days prior to release from custody.
  - 5.2.1.3 Enter the Sex Offender Community Notification information into the Arizona Criminal Justice Information System database system in accordance with A.R.S. §13-3825.
  - 5.2.1.4 Coordinate each phase of the SVP process in compliance with A.R.S. Title 36, Chapter 37, Sexually Violent Persons.
  - 5.2.1.5 Track status of offenders petitioned to Arizona State Hospital – Arizona Community Protection and Treatment Center (ASH-ACPTC) for SVP civil commitment until Community Supervision term expires.
- 5.2.2 Provide a requested law enforcement packet to the requesting agency for statutory purposes of Registration/Community Notification and SVP.
- 5.2.3 The SOCU shall maintain the special purpose Sex Offender Files for 99 years after the offender's date of birth or for one year after the offender's date of death. After that time, the file may be destroyed in accordance with state Records and Retention Archival Rules and document disposal.

## 6.0 HOME ARREST

- 6.1 Inmates granted Home Arrest by the Board of Executive Clemency (ABOEC) shall be supervised under restrictive criteria due to their status as an inmate. All Home Arrest inmates shall be placed on GPS monitoring for the duration of the Home Arrest grant pursuant to A.R.S. §41-1604-13. All movement/activity out of the approved residence shall be requested by the inmate through a weekly itinerary; reviewed and approved by the CCO to ensure the requested movement is authorized, appropriate and in compliance with the Home Arrest Incentive Matrix.
- 6.1.1 Authorized movement shall include the following basic activities:
- 6.1.1.1 Verified and approved work and work related movement, to include seeking employment, attending interviews, meeting with job developers or employment assistance agencies.
  - 6.1.1.2 Attend verified and approved schooling.
  - 6.1.1.3 Attend mandated, approved and verified counseling or treatment services.
  - 6.1.1.4 Attend religious services.
  - 6.1.1.5 Attend verifiable and approved legal or civil functions. (i.e., Motor Vehicle Department, Court, Hearings, etc.)
  - 6.1.1.6 Receive verifiable medical care.
  - 6.1.1.7 Shop for food and hygiene twice per week.
- 6.1.2 Authorized movement may include Incentive Activities upon eligibility based upon length of time served on Home Arrest and compliance with Home Arrest and ABOEC conditions, Incentive Activities may include:
- 6.1.2.1 Visits to family or significant others. (L2+)
  - 6.1.2.2 Shopping for items other than necessities. (L2+)
  - 6.1.2.3 Visits to the Library. (L3+)
  - 6.1.2.4 Other activity shall require review and approval through the CCS and the Community Corrections Manager prior to the activity occurring. (L2+ depending on the request)
- 6.1.3 The Home Arrest Inmate shall submit a weekly itinerary to the supervising CCO. The itinerary shall be submitted no later than Friday, for the following week beginning on Monday. The CCO shall review the requested movement, make appropriate approvals, document itinerary information and make the correct adjustments to the schedule in the monitoring software to allow for the authorized movement of the inmate. The printed itinerary shall be placed in the inmate file.

- 6.1.3.1 Any changes to the itinerary shall be communicated by the inmate to the CCO immediately for authorization and approval by the CCO. Upon approval, the monitoring software shall be updated and documented to reflect the approved changes.
- 6.1.4 Upon notification, the CCO or designee shall review all unauthorized movement/activity out of residence and address the violation.
  - 6.1.4.1 All unauthorized movements, violations and responses shall be documented.
- 6.1.5 The Home Arrest Eligibility Incentive Matrix – This matrix reflects a Home Arrest Inmate’s eligibility and frequency to earn opportunities to engage in pro-social activities beyond the Basic Approved Activities.
  - 6.1.5.1 Provided the inmate has served the requisite period of time on Home Arrest and has remained violation-free, the CCO may allow the inclusion of additional activities as an incentive, which benefits the pro-social development of the inmate residing in the community. If the inmate has achieved a higher level of incentive and incurs violations of expectations, the CCO may revert the inmate’s incentive levels as deemed appropriate. This may be accomplished on a weekly basis to ensure compliance. The level achieved based on time and behavior correlates to eligible incentive activities, as listed.

Level	Required Days on Home Arrest	Basic Activity Only	One Incentive Activity/Month	Two Incentive Activities/Month	One Incentive Activity/Week	One Additional Incentive Activity/Month
Level 1	0 – 90	X	Not Eligible	Not Eligible	Not Eligible	Not Eligible
Level 2	91 – 180	X	X	Not Eligible	Not Eligible	Not Eligible
Level 3	181 – 270	X	X	X	Not Eligible	Not Eligible
Level 4	271 – 360	X	X	X	X	Not Eligible
Level 5	361 – End	X	X	X	X	X

**7.0 INTERSTATE COMPACT (ISC)**

- 7.1 Interstate Compact Incoming – Upon receipt of an incoming ISC-Transfer Request from the sending state via ICOTS, the ISC Unit shall review the packet to ensure it is complete in accordance with the Interstate Commission for Adult Offender Supervision (ICAOS) Rules. <http://www.interstatecompact.org>.
  - 7.1.1 The ISC Unit shall submit an inquiry to the Immigration and Customs Enforcement (ICE) for each Transfer Request investigation which shall be investigated by a CCO.
  - 7.1.2 The ICE inquiry shall be submitted within five business days of receipt of the Transfer Request.

- 7.1.2.1 Upon receipt of the ICE query, the ISC Unit shall document information provided in the offender's file upon acceptance of supervision.
- 7.1.3 Upon determination that the Transfer Request packet is complete, the ISC Unit shall assign the case to the appropriate CCS/CCO Senior within two workdays of receipt, five workdays if a review by SOCU is required.
  - 7.1.3.1 Upon assignment of the ISC packet, the investigating CCO shall:
    - 7.1.3.1.1 Review the Transfer Request packet to ensure eligibility requirements in accordance with ICAOS Rules.
    - 7.1.3.1.2 Conduct a criminal history check of the offender within two workdays of receiving the request.
    - 7.1.3.1.3 Conduct the community investigation per policy and ICAOS Rules.
    - 7.1.3.1.4 Provide a reply to the Transfer Request by the established due date.
- 7.1.4 ISC Approvals – Upon approval of the Transfer Request, the CCO shall:
  - 7.1.4.1 Provide a Transfer Request reply, include reporting instructions, Conditions of Supervision, any required Special Conditions, and any special statutory mandates.
  - 7.1.4.2 Advise the sending state of any Conditions of Supervision the Department is unable to enforce.
  - 7.1.4.3 Forward all Transfer Request documentation to the CCS/CCO Senior, who shall submit the reply to the ISC Unit within 30 calendar days of receipt of the Transfer Request investigation from the ISC Unit.
- 7.1.5 ISC Denials – Communication of recommended denials shall be conducted in the Transfer Request reply per ICAOS rules.
- 7.1.6 Unauthorized Presence – If it becomes known to the investigating CCO that the offender is present in the state of Arizona without authorization during the investigation, the CCO shall contact the ISC Unit.
  - 7.1.6.1 Upon verification that the offender is present without proper authorization the investigating CCO may submit the reply to the Transfer Request, via ICOTS denying the Transfer Request.
- 7.1.7 Global Positioning System/Electronic Monitoring (GPS/EM) – The requirement for GPS/EM is available in any geographic area to be determined by current Community Corrections practice and capability.
  - 7.1.7.1 The ISC Unit Investigations in which GPS/EM is not available due to current practice and capability shall continue. The inability to comply with the GPS/EM special condition shall be noted in the ISC reply Transfer Request.



- 7.1.8 All intakes and supervision for ISC offenders shall be consistent with Arizona offender case supervision.
- 7.1.9 Significant violations, as defined by ICAOS definition, committed by an ISC offender shall be reported by the ISC Unit on an Offender Violation Report to the sending state, via ICOTS within 30 calendar days of discovery. ISC Units are responsible for submission of completed violation reports to the sending state.
  - 7.1.9.1 Upon submission of a violation report to the sending state; which cites ICAOS Rules for mandatory retake or return, the Community Corrections Bureau staff shall adhere to the request for retake or return.
    - 7.1.9.1.1 Upon receipt of a violation report reply that does not agree with Arizona’s request to retake or return the offender, the assigned CCO shall immediately notify the ISC Unit for assistance.
- 7.1.10 Interstate Progress Reports shall be submitted annually and upon request by the sending state via ICOTS.
- 7.2 Interstate Compact Transfer – The CCO may initiate a request for an out-of-state transfer, pursuant to Interstate Commission for Adult Offender Supervision (ICAOS) regulations.
  - 7.2.1 Eligibility – Prior to initiating the transfer request, the CCO shall determine whether the offender meets criteria for transfer in accordance with the ICAOS Rules and that the offender shall be in compliance with their Department Conditions of Supervision and currently not under sanctions.
  - 7.2.2 Home Arrest, Work Furlough or pre-reversion Transition Program offenders shall not be permitted to leave the state prior to reverting to Parole or Truth-in- Sentencing (TIS) status.
  - 7.2.3 Prior to initiating a transfer request, the CCO shall submit the Transfer Request via ICOTS. The ISC fee procedure and Transfer Request shall be processed as follows. The CCO shall:
    - 7.2.3.1 Have the offender sign the Interstate Compact Application for Inmates/ Offenders, Form 1003-22.
    - 7.2.3.2 Provide the offender with instructions regarding the required non-refundable \$200 ISC application fee, the available payment options and process. The Transfer Request shall be processed once the required fee has been received/processed.
  - 7.2.4 The following documents shall be scanned and entered into ICOTS to be included in the Transfer Request:
    - 7.2.4.1 Commitment/sentencing order.
    - 7.2.4.2 Pre-sentence report/detailed description of instant offense.
    - 7.2.4.3 Criminal history and current photographs.
    - 7.2.4.4 Offender applications for Interstate Transfer signed by offender.

- 7.2.4.5 Conditions of Supervision signed to include all special Conditions of Supervision imposed by the ABOEC or assigned CCO.
- 7.2.4.6 Supervision history.
- 7.2.4.7 Any orders restricting the offender's contact with victims or other persons.
- 7.2.4.8 Information relating to any court ordered financial obligations.
- 7.2.4.9 Any information pertaining to sex offender registry, if applicable.
- 7.2.5 Emergency Transfer Requests – If an offender is requesting an out-of-state transfer for an emergency such as a death or serious illness of an immediate family member, the CCO shall staff the case with the CCS/CCO Senior.
  - 7.2.5.1 Emergency Transfer Requests shall be considered and processed on a case by case basis in accordance with ICAOS Rules.
  - 7.2.5.2 If the receiving state accepts offenders for emergency transfers, the Transfer Request shall be submitted to the ISC Unit within three business days of approval of the reporting instructions by the receiving state.
- 7.2.6 Upon the receiving state's acceptance of the Emergency Transfer Request, the CCO shall verify the offender is compliant with supervision and is not under sanctions prior to issuing a travel permit.
- 7.2.7 Supervision fees in arrears shall be paid prior to ISC transfer. Supervision fees shall no longer be assessed by the Department after the transfer.
- 7.2.8 The travel permit shall include travel instructions as directed by the receiving state and require reporting within five business days of issuance and one business day of arrival in the receiving state.
- 7.2.9 The ISC Unit shall conduct Notice of Departure to the receiving state.
- 7.2.10 Fax or scan and email the travel permit and signed Arizona Conditions of Supervision to the ISC Unit. The Conditions of Supervision shall note the address and phone number of the receiving state's Community Supervision Office.
- 7.2.11 All ISC Transfer Requests from inmates/offenders who require statutory GPS monitoring shall include:
  - 7.2.11.1 Arizona Conditions of Supervision specific to GPS monitoring.
  - 7.2.11.2 Standard Conditions of Supervision.
  - 7.2.11.3 Sex Offender Conditions, if applicable.
  - 7.2.11.4 Special Conditions – Reporting instructions to the electronic monitoring Unit (EMU) upon release from prison.
    - 7.2.11.4.1 Application of the GPS device.

7.2.11.4.2 Instructions for mailing the Arizona GPS equipment back to Arizona upon offender's arrival in the receiving state.

7.2.11.4.3 GPS Monitoring Conditions.

7.2.12 All Transfer Requests for GPS cases shall be submitted to the receiving state via ICOTS, by the ISC ADC Deputy Compact Administrator or a designee.

7.2.13 Only the ISC ADC Deputy Compact Administrator or designee shall approve the ISC Transfer Request release program for a GPS inmate/offender.

7.2.14 If the approved Transfer Request is for an inmate, the Arizona-ISC Unit shall provide the electronic monitoring Unit with the following:

7.2.14.1 The inmate's release date.

7.2.14.2 A copy of the Conditions of Supervision the inmate signed prior to release.

7.2.14.3 A copy of the Travel Permit.

7.2.15 The Electronic Monitoring Unit shall activate the GPS equipment and monitor the offender until arrival and replacement of GPS equipment in the receiving state.

## 8.0 OFFENDER ASSESSMENT AND SUPERVISION

8.1 Initial Intake – Upon intake of offenders to the Department Community Supervision, the CCO shall ensure the following:

8.1.1 The offender is not serving a dual supervision term with any Arizona Probation Department pursuant to A.R.S. §13-603, §13-901, §31-233 and §31-467, offenders shall not serve a concurrent term of probation and Community Supervision (dual supervision).

8.1.1.1 If determined the offender is required to serve a concurrent term of probation and Community Supervision (dual supervision), immediately upon release from Department custody, request a modification or termination from the County Probation Department.

8.1.1.2 Obtain documentation of the probation modification and forward a copy to the Offender Services Bureau, Time Computation Unit.

8.1.2 Residency – Verify the approved release address and sponsor information. If the offender has no pre-approved address or sponsor, the CCO shall assist the offender in developing a placement. The CCO may refer the offender to a local social service agency for housing assistance.

8.1.3 Employment – If the offender has no proposed employment and is employable, the CCO shall refer the offender to a community agency, if appropriate.

8.1.4 Conditions of Supervision – Review and explain the Conditions of Supervision and Release form, to include standard and special conditions imposed by the ABOEC, the sending state, or the CCO. The CCO shall:

- 8.1.4.1 Require the offender to sign and date the Conditions form(s).
- 8.1.4.2 Witness the signature.
- 8.1.4.3 Provide a copy to the offender.
- 8.1.5 Conduct Risk Assessments – Utilizing all Department and non-department collateral information.
- 8.1.6 Establish Supervision Level – The offender’s supervision level shall be assigned upon release. Supervision level shall be determined through designated ADC risk assessment. The risk assessment score at the time of release or the Community Supervision Risk/Needs assessment shall be used, as deemed appropriate by the CCO.
- 8.1.7 Establish Contact Frequency.
- 8.1.8 Establish Substance Abuse Testing Requirements.
- 8.1.9 Review Outstanding Legal Obligations – Instruct the offender to contact the applicable jurisdiction to resolve outstanding warrants or other legal obligations.
- 8.1.10 Establish Community Supervision Related Fees – Determine Department required fees and provide the offender with instructions regarding each fee type and method of payment to include, but not limited to:
  - 8.1.10.1 Cost of supervision
  - 8.1.10.2 Substance abuse testing
  - 8.1.10.3 Global Positioning System (GPS)/Electronic Monitoring (EM)
  - 8.1.10.4 ISC application
  - 8.1.10.5 Community Corrections Center
- 8.1.11 Review Other Legal Fees – Determine if the offender has been assessed fees from outside agencies. The CCO shall provide the offender with the necessary referral information to establish contact for payment obligations to include, but not limited to:
  - 8.1.11.1 Court ordered restitution
  - 8.1.11.2 Fines
  - 8.1.11.3 Felony assessment
  - 8.1.11.4 Child support
- 8.1.12 Offender Identification (ID) – The CCO shall arrange with the Warrant Services/Hearings Unit for an offender to receive a released offender ID card approved by the Department of Motor Vehicle for the purpose of obtaining a driver’s license or state ID card, if the offender was not provided one prior to release.

- 8.1.13 Community Program Referrals – Identify risk and need for community-based programming and complete necessary referrals.
- 8.1.14 GPS/EM - Activate the designated monitoring device and provide the offender with direction regarding the purpose, effect and operation requirements. (See RESTRICTED section.)
- 8.2 Interstate Compact Intake – In addition to the standard intake requirements, the following shall be completed for all incoming ISC offenders:
  - 8.2.1 Document ISC Notice of Arrival through ICOTS.
  - 8.2.2 Notify the ISC Unit, via email, of the offender’s arrival and obtain the offender’s ADC number.
  - 8.2.3 Obtain DNA upon initial contact.
    - 8.2.3.1 Upon advisement that DNA must be retaken, the assigned CCS or designee shall ensure the DNA is collected within 14 workdays of the request.
  - 8.2.4 Interstate Compact Sex Offenders – Contact the Sex Offender Coordination Unit (SOCU), via email, during intake to advise of the arrival and following completed information:
    - 8.2.4.1 Offender’s ADC number
    - 8.2.4.2 DNA date
    - 8.2.4.3 Offender’s residential address
    - 8.2.4.4 Date the Sex Offender Registration/Notification Requirements, Form 1001-1, was signed by the offender
  - 8.2.5 Sex Offender Notification Requirements – The SOCU shall complete the ADC database and the Arizona Criminal Justice Information System entries in accordance with A.R.S. §13-3821, Sex Offender Registration and A.R.S. §13-3825, Community Notification.
- 8.3 Arizona Sex Offenders – Intake of Arizona Sex Offenders shall be completed as outlined in accordance with this Department Order.
- 8.4 GPS/EM Requirements – All offenders convicted of Dangerous Crimes against Children, pursuant to A.R.S. §13-604.01 (convictions prior to 12/31/2008), §13-705, §41-1604.08, or require GPS/EM supervision upon release from custody or arrival to Arizona under ISC mandates:
  - 8.4.1 Have an application/activation of the monitoring device upon initial intake.
  - 8.4.2 GPS/EM compliance shall be monitored throughout term supervision or as designated by statute or mandated program. (See RESTRICTED section.)

## **9.0 RISK ASSESSMENT TOOLS/LEVELS**

- 9.1 The CCO shall complete a risk needs assessment in the following increments to guide offender case supervision. The risk assessment shall be completed within 30 calendar days of initial intake.
- 9.1.1 The risk assessment is not required for any offender with 60 calendar days or less to serve on Community Supervision. These offenders shall be supervised based upon the Risk Assessment–Release form scores.
  - 9.1.2 The secondary risk assessment is required within 120 calendar days from the release date. A secondary risk assessment is not required if the offender’s supervision is terminated within the same month.
  - 9.1.3 A risk assessment is required 300 calendar days from release date and annually thereafter. The risk assessment is not required if the offender’s supervision is terminated within the same month.
  - 9.1.4 Any additional risk assessments may be conducted at the discretion of the CCO (e.g., any significant changes in the offender’s life warrants possible reassessment).
  - 9.1.5 Any risk level overrides/under-rides must be staffed by the CCO and the CCS/CCO Senior.
  - 9.1.6 Registerable/Notifiable Sex Offenders shall be supervised at Maximum or Intensive supervision level.
  - 9.1.7 Validated and active Security Threat Group (STG) members shall be supervised at the level based upon the risk assessment. Levels of supervision for an STG offender may be enhanced to Maximum or Intensive supervision level based upon the CCO and CCS/CCO Senior staffing.
  - 9.1.8 All offenders reverting from Home Arrest to another release status shall be placed on the level of supervision and contact frequency designated in accordance with the risk assessment level, unless an exception is requested.
  - 9.1.9 Dual Supervision – Should a dual supervision case (concurrent Department and ISC term) be accepted for a transfer of supervision in Arizona, during the intake contact, the case supervision level and contact frequency shall be determined based upon the risk assessment to reflect any conviction(s) documented from the sending state.

**10.0 CONDITIONS OF SUPERVISION** – All offenders and inmates released to ADC Community Supervision and/or accepted under Interstate Compact shall be required to adhere to Conditions of Supervision. Conditions of Supervision may be modified at the discretion of the Department, ABOEC and ISC, based upon need.

- 10.1 The CCO shall monitor the Conditions of Supervision which apply to the supervision of inmates released or being released on the following:
- 10.1.1 Parole
  - 10.1.2 Work Furlough
  - 10.1.3 Temporary Release

- 10.1.4 Mandatory Release
  - 10.1.5 Home Arrest
  - 10.1.6 Provisional Release
  - 10.1.7 Discretionary Release
  - 10.1.8 Community Supervision
  - 10.1.9 Truth-in-Sentencing Release (TIS)
  - 10.1.10 Interstate Compact
- 10.2 All released inmates/offenders, with exception of those accepted under Administrative Supervision, shall be mandated to comply with the standard Conditions of Supervision and Release, ABOEC imposed conditions if applicable, and the Directive/Lawful Order - Medical Marijuana, Form 1002-3A (State law prohibits the use of medical marijuana, except as specifically authorized under the Arizona Medical Marijuana Act, A.R.S §36-2801). Special Conditions may also be imposed as deemed appropriate.
- 10.2.1 Inmates/offenders accepted for 35-Day Administrative Supervision, in accordance with section 1.0, shall only be required to agree and sign the Conditions of Administrative Supervision and Release – Non-Reporting, Form 1002-3NR.
- 10.3 Special Conditions
- 10.3.1 CCOs may impose special conditions, according to the following criteria:
    - 10.3.1.1 Lawful
    - 10.3.1.2 Enforceable
    - 10.3.1.3 Relevant and reasonably related to criminality
    - 10.3.1.4 In the best interest of the public and the statutory ends of the Department
- 10.4 All imposed Conditions of Supervision shall be signed by the offender, witnessed by a CCO and dated. A copy will be given to the offender.
- 10.5 All verbal Conditions of Supervision shall be imposed in writing within 10 workdays of the verbal direction. All Conditions of Supervision shall be signed by the offender, witnessed and dated by a CCO and a copy shall be provided to the offender.
- 10.5.1 If the offender refuses to sign the imposed Conditions of Supervision forms(s), the offender shall be returned to Department custody.
- 10.6 Reversions of Supervision – The CCO shall have the offender sign new Conditions of Supervision upon reversion of any release type (e.g., Parole, Home Arrest, Work Furlough and TIS or if the offender is returned to supervision after having been in Department custody).

- 10.6.1 ABOEC Reversions of Supervision – The CCO shall have the offender sign new Conditions of Supervision within five workdays of the reversion date for any Administrative Release type (e.g., Parole, Home Arrest, Work Furlough). ABOEC is the revocation Hearing authority.
- 10.6.2 Truth-in-Sentencing Reversions – The CCO shall have the offender sign new Conditions of Supervisions upon reversion from Temporary Release (TR) to TIS status. The CCO shall complete the new conditions as soon as reasonably possible to the reversion date (prior to or after the reversion date). The Department is the revocation Hearing authority.
- 10.7 Case Transfers – The receiving CCO shall have the offender sign new Conditions of Supervision after acceptance of the case transfer.
- 10.8 Modification of Conditions Of Supervision – Conditions of Supervision may be modified based upon need as determined by Community Corrections or the ABOEC.
  - 10.8.1 The CCO may:
    - 10.8.1.1 Modify any Condition(s) of Supervision imposed by Community Corrections.
    - 10.8.1.2 Authorize the offender to reside, program, or be employed with other offenders as deemed to be in the best interest of the State and the offender.
  - 10.8.2 Based upon statutory authority, the ABOEC can modify the special Conditions of Supervision of an ABOEC granted release (e.g., Home Arrest, Work Furlough, Parole; convictions prior to January 1, 1994), including those special conditions imposed by the assigned CCO on behalf of the Department.
    - 10.8.2.1 Upon being notified by the ABOEC that a modification hearing has been deemed necessary, the CCO shall appear in person to present testimony on behalf of the Department.
    - 10.8.2.2 If the decision of the ABOEC is to modify the existing Conditions of Supervision, the CCO shall impose the modified conditions during the remaining Community Supervision period.
  - 10.8.3 Recommendations to modify conditions imposed by the ISC sending state shall be requested through submission of an ISC Compact Action Request and forwarded to the ISC ADC Deputy Compact Administrator for further processing. Modifications shall be approved by the sending state prior to implementation.
  - 10.8.4 Upon modification of any Special Conditions of Supervision, the CCO shall ensure the offender signs the revised Conditions of Supervision form(s).

## 11.0 CASE SUPERVISION

- 11.1 The CCO shall supervise the offender commensurate with the assigned level of supervision, in accordance with the Risk Assessment – Release form score upon release or Community Supervision Risk Assessment Instrument (risk assessment) completed by the Community Corrections Bureau.



- 11.1.1 Intensive supervision
- 11.1.2 Maximum supervision
- 11.1.3 Medium supervision
- 11.1.4 Minimum supervision

## 11.2 Types of Supervision

- 11.2.1 Home Arrest – Offenders are considered inmate status and shall be supervised as Intensive level for the duration of Home Arrest supervision.
  - 11.2.2 Residential Treatment Facilities – While an offender is residing in a Department or contracted residential treatment program he/she may be placed on modified reporting for the duration of the program (this does not include halfway house residency). Once an offender is released from the program, he/she may return to the previously assigned level of supervision.
  - 11.2.3 In-Custody Offenders – No contacts are required for offender’s in-custody.
  - 11.2.4 Dual Supervision – Should a dual supervision case (concurrent Department and ISC term) be accepted for a transfer of supervision in Arizona, during the intake contact, the case supervision level shall be determined based upon the risk assessment to reflect any conviction(s) documented from the sending state.
  - 11.2.5 Registerable/Notifiable Sex Offenders – Sex offenders shall be placed on no less than Maximum supervision for the full term of supervision. If the risk assessment indicates an Intensive level of supervision, the offender shall be supervised accordingly.
  - 11.2.6 35-Day Administrative Supervision - Inmates/offenders that have been accepted for 35-Day Administrative Supervision under the Community Corrections Bureau, as outlined in Section 1.0, and have signed the Conditions of Administrative Supervision and Release – Non-Reporting, Form 1002-3NR, are exempt from reporting, testing requirements and referrals. The Community Corrections Bureau shall take action only in the event of notification of new crime
- 11.3 The CCO shall complete mandated contacts, to include but not limited to Home Arrest, Employment Visit, Field Contact, Face-to-Face, Collateral and Verification.
- 11.3.1 The CCS or designee shall ensure the offender Sign-In Log is utilized for those offenders who report to the Community Corrections Office.
  - 11.3.2 When an offender reports as directed and the supervising CCO is not available to see the offender, the Duty Officer shall conduct a regular face-to-face contact visit with the offender.
- 11.4 Significant Incident Report (SIR), Form 105-3, shall be generated by Community Corrections within four hours of discovery of the incident, in accordance with their chain of command and Department Order #105, Information Reporting.

- 11.5 The CCOs as Mandated Reporters – Pursuant to A.R.S. §13-3620, as Mandated Reporters, a CCO shall call the Child Protective Services Hotline when, in the course of their duties, they have reason to believe a minor (child under 18 years) has been abused, neglected, exploited, abandoned or qualifies as a drug-endangered child.
- 11.6 Offenders who Present a Threat of Self-Harm – When an offender presents with the potential for self-harm, the supervising Correctional Officer Series staff shall notify law enforcement, healthcare staff or mental health personnel to obtain assistance for the offender. The supervisory chain shall be notified as soon as reasonably possible.
- 11.7 Bus Passes – CCOs may issue bus passes to offenders with a history of substance abuse if offenders do not have a permanent residence, employment, or have justified financial needs. Appropriate use of bus passes is to provide transportation to attend substance abuse counseling, testing, additional supportive services, job search or employment. Availability of bus passes is dependent upon funding.
- 11.8 Absolute Discharge – In accordance with Department Order #1002, Inmate Release Eligibility System, the CCO shall advise the offender to request an Absolute Discharge from the Offender Services Bureau.

## 12.0 TRAVEL PERMITS

- 12.1 Eligibility Guidelines – CCOs may consider issuing an Out-of-State Travel Permit/Waiver of Extradition, which shall be determined based on the following criteria:
  - 12.1.1 Offender's are under the active supervision of the Community Corrections Bureau.
  - 12.1.2 Offender's have provided his/her CCO the following information:
    - 12.1.2.1 Reason for requesting a Travel Permit
    - 12.1.2.2 Destination addresses and phone number
    - 12.1.2.3 Date of departure and return, not to exceed 30 calendar days
    - 12.1.2.4 Person to be visited and relationship, if applicable
    - 12.1.2.5 Means of transportation
  - 12.1.3 The offender must:
    - 12.1.3.1 Submit a request to travel to the CCO within five workdays prior to the date of proposed travel, unless a verifiable emergency situation exists.
    - 12.1.3.2 Be current on all restitution/supervision payments.
    - 12.1.3.3 Have demonstrated satisfactory compliance with the Conditions of Supervision.
- 12.2 Denial of Travel Permits may include, but are not limited to the following:
  - 12.2.1 The offender is on Work Furlough, Home Arrest or Electronic Monitoring.
  - 12.2.2 Criminal prosecution is known to be pending against the offender.

- 12.2.3 The offender is known to be the subject of investigation by a law enforcement agency.
  - 12.2.4 Cost of supervision payments are known to be in arrears.
  - 12.2.5 Non-compliance with the Conditions of Supervision has been demonstrated.
  - 12.2.6 Travel is not in the best interest of the offender, the Department, or the community.
  - 12.2.7 The offender is currently on either Maximum or Intensive supervision level.
  - 12.2.8 The offender has no known legitimate reason to travel to another community.
- 12.3 If the Travel Permit is approved, the CCO shall require the offender to pick up a copy of the Travel Permit in person, and complete the Travel Permit and indicate any special conditions.
- 12.4 Rural Areas
- 12.4.1 CCOs supervising offenders in the rural areas bordering California, Nevada, Utah and New Mexico may issue travel permits to offenders on any level of supervision or any release status to facilitate employment at a specific job in a specific community in the bordering state with the exception of the following:
    - 12.4.1.1 An offender convicted of first degree murder and on Maximum/Intensive supervision.
    - 12.4.1.2 An offender whose criminal history includes a sex offense conviction.
  - 12.4.2 The CCO shall:
    - 12.4.2.1 Indicate on the Travel Permit that the permit is issued for the purpose of employment only.
    - 12.4.2.2 Verify employment every 30 calendar days and re-issue the new Travel Permit every 30 calendar days.
    - 12.4.2.3 Issue a Travel Permit for the purpose of seeking employment only to cross state lines to apply for employment, for a period not to exceed seven calendar days.

**13.0 IN-STATE CASE TRANSFERS** – Case transfers shall be at the discretion of the Community Corrections Bureau.

- 13.1 Offenders shall not move residence without prior approval of their CCO.
- 13.2 The CCO may not transfer supervision of an offender under the following circumstances:
  - 13.2.1 There are known pending criminal charges against the offender or an investigation is on-going which could result in charges being filed or technical violations of Conditions of Supervision have occurred necessitating due process action.
  - 13.2.2 The offender is within 70 calendar days of expiration of sentence, unless mutually authorized by supervisors.

- 13.3 If an offender moves to an address within the geographical boundaries of another Community Corrections Office, without prior permission of the assigned CCO, the CCO may determine if such a move constitutes valid reason to request a warrant.
- 13.4 Case Transfer requests shall be coordinated between the office CCS/CCO Seniors.
  - 13.4.1 Prior to approval of Case Transfers, the CCO shall conduct a residence investigation.
  - 13.4.2 Registerable/Notifiable Sex Offenders shall require approval of the receiving CCS/CCO Senior prior to moving and acceptance of a case transfer.
  - 13.4.3 Upon acceptance of Case Transfers, the offender shall be provided with written reporting instructions.
  - 13.4.4 For ISC offenders, the CCO shall complete an ISC Progress Report on all accepted Case Transfers.
- 13.5 The receiving CCO shall make personal contact with the sponsor at the approved residence within 30 calendar days of the transfer request.

#### **14.0 REVERSION OF OFFENDERS**

- 14.1 At initial intake the CCO shall identify any ABOEC granted or Administrative release reversions.
- 14.2 The CCS/CCO Senior shall maintain a reversion tracking system.
  - 14.2.1 When notified by the Release Unit of the scheduled ABOEC hearing, the CCO shall complete the ABOEC - Community Corrections Progress Report, Form 1003-14, or the CCO shall have the offender sign the Board Hearing Notification/Parole, Form 1001-5. An offender may waive an ABOEC appearance if within six months of an administrative release.
  - 14.2.2 The CCS/CCO Senior shall:
    - 14.2.2.1 Ensure the CCO completes a Pre-Release Authorization for offenders on Work Furlough or Home Arrest after they have been granted Parole or Work Furlough, or for offenders who will revert to an Administrative release date.
      - 14.2.2.1.1 If the offender is reverting to an ABOEC release, the CCO shall submit the Pre-Release Authorization within 15 workdays following the ABOEC hearing.
      - 14.2.2.1.2 If the offender is reverting to an Administrative release, the CCO shall submit the Pre-Release Authorization within a minimum of 15 workdays prior to the Administrative release eligibility date.
    - 14.2.2.2 Forward the Pre-Release Authorization to a Release Unit staff member within one workday of approval.

- 14.2.3 The Release Unit shall determine the effective release date and request an “Audit Release Verification” from Offender Services Bureau, Time Computation Unit.
  - 14.2.3.1 After the pre-release is completed, the Pre-Release Authorization is forwarded to the assigned CCO.
  - 14.2.3.2 When an offender is reverting from Home Arrest, a copy of the approved Pre-Release Authorization with the effective release date is forwarded to the Release Unit. The Release Unit shall determine the amount the offender owes for electronic monitoring fees through the effective release date, and shall advise the supervising CCO.
  - 14.2.3.3 The CCO shall have the offender sign new Conditions of Supervision within three workdays of reversion in the metropolitan area, or within ten workdays in the rural areas. If the release eligibility date is in the future, have the offender sign new Conditions of Supervision prior to or within one workday of the effective reversion release eligibility date.
  - 14.2.3.4 Upon receipt, the CCO shall have the offender sign either the ABOEC Proclamation or Disposition.
- 14.3 Upon the effective release date, the CCO shall complete all designated Department database entries within one workday of reversions.

## 15.0 FINES, FEES AND RESTITUTION

- 15.1 Restitution and Court Ordered Payments – The CCO shall review court ordered payments/restitution information with the offender and direct the offender to contact the appropriate Clerk of the Court.
  - 15.1.1 Delinquent Court Ordered Restitution – Upon determination that the offender is delinquent in court ordered restitution, the CCO shall provide the ABOEC with a staff report.
  - 15.1.2 For any outstanding court ordered restitution, fines/fees at the time of the offender’s CSED, the offender shall be notified of legal financial obligations.
- 15.2 Community Corrections Fees – Offenders/inmates on Community Supervision shall be assessed all applicable fees and provided instructions regarding payment methods.
  - 15.2.1 The CCO shall:
    - 15.2.1.1 Not accept/process any fee payments from any offenders.
    - 15.2.1.2 Assist the offender by providing instructions regarding the designated fee requirements, payment methods, monitor fee payments and address delinquencies. Required fees may include, but are not limited to the following categories:

- 15.2.1.2.1 Cost of Supervision – All offenders supervised under the terms of the ISC, and all offenders released under TIS or on a release granted by the ABOEC are statutorily required to pay Cost of Supervision fees, unless exempted, pursuant to A.R.S. §31-411.
  - 15.2.1.2.2 Substance Abuse Testing – All offenders supervised under the terms of the ISC, released under TIS or an ABOEC granted release shall be required to pay Substance Abuse Testing fees, pursuant to A.R.S. §31-411, §31-418, §31-467.06, §41-1604.13, unless exempted and provided that a mechanism for collection is established.
    - 15.2.1.2.2.1 Substance Abuse Testing fees shall apply to all offenders who are on Community Supervision.
  - 15.2.1.2.3 Interstate Compact Application – Application fees and GPS fees shall be processed as applicable.
  - 15.2.1.2.4 ISC GPS/EM
  - 15.2.1.2.5 Arizona offender GPS/EM
  - 15.2.1.2.6 Community Corrections Center – Offenders participating in a Community Corrections Center program may be assessed Community Corrections Center fees.
  - 15.2.1.2.7 Legislative Program – Legislative Community Supervision program fees shall be processed as applicable.
- 15.2.2 Exemptions – Partial or full exemptions shall require verification for consideration.
- 15.2.2.1 Partial exemptions, per verified criteria:
    - 15.2.2.1.1 Recovering from serious accident or illness.
    - 15.2.2.1.2 Unemployed due to layoff.
    - 15.2.2.1.3 Lack of employment opportunity in geographic area.
    - 15.2.2.1.4 Partial physical/mental disability.
    - 15.2.2.1.5 Temporary financial crisis with offender’s family due to extraordinary circumstances (i.e., fire, flood, etc.).
    - 15.2.2.1.6 Other legal financial obligations which may cause excessive burden (i.e., restitution, child support, etc.).
    - 15.2.2.1.7 Full time student.
    - 15.2.2.1.8 Retired - on fixed income.
  - 15.2.2.2 Full exemption, per verified criteria:

- 15.2.2.2.1 Physical/mental disability.
  - 15.2.2.2.2 Hospitalization/long term care.
  - 15.2.2.2.3 Inpatient program.
  - 15.2.2.2.4 Extraordinary circumstances as determined by CCO and approved by CCS/CCO Senior.
  - 15.2.2.2.5 Fees assessed during a period of incarceration in jail or other custody pending completion of revocation process.
- 15.2.3 If the offender is 60 or more calendar days delinquent in payment of any category of the Department’s Community Supervision fees, the offender shall be notified. All fee arrearages must be paid current within 30 calendar days of notification or as otherwise directed by the CCO. The CCO may impose sanctions if the offender fails to pay.
- 15.2.4 Home Arrest Inmates shall be required to pay all fees assessed while on Home Arrest, prior to reverting to an Administrative release or an ABOEC release.
- 15.2.5 Refund Process – Processing of required refunds shall be coordinated and completed by the designated Department Accounting Office.
- 15.2.6 Fee Assessments – Assessments shall be completed by the designated Department Office and contracted vendor process.

**16.0 COMMUNITY REENTRY PROGRAMS AND SERVICES** – Offenders shall be assessed and referred to programs and services that promote successful community reentry and recidivism reduction.

- 16.1 Referrals shall be based upon the offender’s risk, needs, history, behavior and ABOEC mandates.
- 16.2 Offenders may be responsible for payment of required programming and services.
- 16.3 Employment – The CCO shall guide unemployed offenders to employment assistance services unless the offender is engaged in an alternate program as approved by the CCO. Offenders shall be required to provide proof of an employment search.
- 16.3.1 Unemployed (But Legally Eligible to Work) – The CCO shall provide written instructions to the offenders to seek employment or attend school and provide verification.
- 16.3.1.1 For employment exemptions due to medical conditions, the offender shall provide the CCO with medical documentation from his/her physician.
    - 16.3.1.1.1 If the offender fails to provide medical documentation that he/she is unemployable, the CCO shall have the offender sign an Authorization to Release Information form for his/her physician. The CCO or CCS/CCO Senior shall send a letter to the physician requesting clarification of the offender’s inability to work due to his/her medical condition.

16.3.2 The CCO shall:

16.3.2.1 Make personal or phone contact with the employer when an offender is on Home Arrest, has a history of violence convictions, or has a history of a sex offense convictions.

16.3.2.2 Verify all employment, maintain documentation of employer information.

16.4 Behavioral Health Services

16.4.1 Mental Health – Offenders with a mental health history and/or presenting behaviors.

16.4.2 Cognitive Restructuring – Offenders requiring the therapeutic process of reducing negative/irrational thoughts and criminal thinking.

16.4.3 Anger Management – Offenders with a current or prior conviction for assaultive, violent, and/or threatening behavior, and/or intent to commit these offenses.

16.4.4 Sex Offender – Sex Offenders shall be referred for community-based programming, per assessment and availability.

16.5 Substance Abuse Programing – Offenders shall be assessed and referred based upon individual need.

16.5.1 Substance Abuse Treatment

16.5.2 12-Step Program/Support Group – Faith based or non-faith based

16.5.3 Alternate Recovery Support Group - Faith based or non-faith based

16.6 Transition Program (Legislative Early Release Program) – Offenders are screened for eligibility by the institution Correctional Officer (CO) III and designated program coordinator prior to release. The CCO conducting initial intake for approved offenders shall complete referral to contracted provider during initial intake, verify enrollment, track mandated attendance, progress, and completion.

16.7 Grant Programs – Community Corrections Bureau staff shall coordinate all grant referrals through the designated Grant Manager.

16.8 Department Programs – The Community Corrections Bureau staff shall utilize available Department programs based on eligibility and need of the offender. Possible programs include:

16.8.1 Residential Community Behavior Modification Program.

16.8.2 Community Accountability Program (CAP) – Contracted community based program.

16.8.3 Community Corrections Centers (CCC) – In accordance with Department Order #1006, Reentry Center.

16.8.4 Absconder Reduction Program (ARP) – A determination shall be made whether offender is eligible for the ARP. Eligible absconded offenders shall be mailed the ARP notification letter within five business days of issuance of the warrant and be required to respond within 15 business days from the letter notification date. ARP Eligibility Criteria:



- 16.8.4.1 Not pending criminal charges
- 16.8.4.2 No prior ARP participation during current supervision term
- 16.8.4.3 Must be amenable to comply with conditions of supervision
- 16.8.4.4 Not a ABOEC reinstatement during current supervision term
- 16.8.4.5 Not an Interstate Compact Offender (ISC)
- 16.8.5 Low Risk Minimum (LRM) – Offenders may be eligible for the Low Risk Minimum (LRM) caseload upon identifying the offender as “low risk” as determined by the Arizona Community Corrections Assessment Tool (ACCAT) and Department criteria.

## 17.0 INTERVENTIONS/SANCTIONS

- 17.1 The CCO shall address Conditions of Supervision technical violation(s) through the use of evidence based practices, the Interventions/Sanctions Guidelines and available Department and community programs/resources. The CCO shall track all intervention compliance, progress and outcomes.
  - 17.1.1 Technical violations shall be addressed with the offender within three workdays of discovery and document action taken.
  - 17.1.2 Violations of a serious nature (elevated risk to the community) shall be staffed immediately to determine appropriate course of action and expedited intervention with the offender.
- 17.2 Offenders may be assessed fees for individual program services.
- 17.3 Department Programs Utilized as Intervention/Sanction – The following programs shall be considered for eligible offenders requiring interventions/sanctions:
  - 17.3.1 Community Accountability Program may be imposed as an intervention/sanction for eligible offenders who have a substance abuse history or currently require cognitive restructuring programs with the option of monitoring services. (e.g., GPS and alcohol monitoring)
  - 17.3.2 The Residential Community Behavioral Modification Program may be imposed as an intervention/sanction for eligible offenders who have a substance abuse history, currently require cognitive restructuring programs, and demonstrate the need for increased residential structure.
  - 17.3.3 Community Corrections Centers may be imposed as an intervention/sanction for eligible offenders who have a substance abuse history, currently require cognitive restructuring programs, and/or demonstrate the need for increased residential structure.

## 18.0 WARRANT OF ARREST

- 18.1 Timeframes related to Warrants and Due Process have been established within this section. Any extenuating circumstances that deter from these timeframes shall be documented in the designated ADC database.

- 18.2 Community Corrections Operations Director, Community Corrections Manager, CCS or CCO Senior may obtain a warrant number. Once a warrant number has been issued for emergency entry or immediate action warrant, the staff member shall complete the warrant within three workdays.
- 18.2.1 An Arizona Department of Corrections Warrant of Arrest, Form 1003-13, may be issued for any offender who is in technical violation of their Community Supervision.
- 18.3 Warrant categories:
- 18.3.1 Immediate Action – An offender that is subject to registration/notification as a sex offender, convicted under Arizona Dangerous Crimes Against a Child (DCAC) statute, or is currently on inmate status and fails to report as directed. The Warrant of Arrest form shall be completed for immediate entry into the National Crime Information Center (NCIC)/Arizona Crime Information Center (ACIC).
- 18.3.2 Emergency Entry – Any supervision level offender that has become involved in circumstances which presents a significant risk to the community or that clearly displays a lapse into criminal ways or company. Entry into ACIC/NCIC requires Community Corrections Manager approval.
- 18.3.3 Technical Violation – Any supervision level offender that has violated the Conditions of Supervision other than absconding.
- 18.3.4 Absconder – An offender who fails to report or maintain contact with his/her assigned CCO.
- 18.4 The CCO shall generate a Warrant of Arrest within three workdays from the known placement of a Department Jail Hold on any supervised offender arrested for a new offense.
- 18.4.1 Should an offender who is on Home Arrest status abscond after regular business hours, the Central Office Communications Center shall contact the on-call Community Corrections Manager at which time a warrant number may be issued. If a warrant number is issued, the CCO shall complete and submit the Request for Warrant within the first four hours of the next workday.
- 18.5 Absconder Warrants – Shall be issued within 15 calendar days of determination:
- 18.5.1 ISC Offenders – Within five workdays of being unable to locate an ISC offender who has absconded supervision, the CCO shall submit an ISC Violation Report and Case Closure Notice to the ISC Unit, who shall send the report to the sending state via ICOTS. No warrant shall be issued.
- 18.5.2 Absconders Returned to Custody – Within one workday of being informed an absconder is back in custody, the Warrant Services/Hearings Unit shall annotate the status change. Within one workday of being informed that an ISC absconder who had been under supervision in Arizona is in custody in an Arizona jail, the assigned CCO shall notify the ISC ADC Deputy Compact Administrator or designee and annotate the custody information.
- 18.5.3 The ISC Unit shall notify Warrant Services/Hearings Unit if the Probable Cause Hearing is requested by the sending state.

- 18.5.4 Absconder programs may be available if the offender meets Department criteria.
- 18.6 Immediate Action Warrant of Arrest shall be requested on the date of discovery for any offender who is subject to registration/notification as a sex offender, convicted under the DCAC statute or is currently on inmate status.
  - 18.6.1 The offender fails to report to his/her assigned CCO as directed or is actively avoiding supervision.
  - 18.6.2 The CCO becomes aware the offender has absconded.
- 18.7 Canceling and Quashing Warrants – Once a Warrant of Arrest has been entered into the ACIC/NCIC, removals shall be conducted through the quash process. The CCO may request an issued warrant be quashed at any time prior to the preliminary or revocation hearing based upon the CCS/CCO Senior staffing/approval. Appropriate sanctions shall be imposed to address violations of the Conditions of Supervision.
  - 18.7.1 A CCS shall approve or deny each request within one workday of receipt. Denied requests shall be returned to the CCO.
  - 18.7.2 Authorizations to quash warrants require the approval of a Community Corrections Supervisor or Manager.
- 18.8 Warrant Service
  - 18.8.1 The designated Community Corrections Bureau staff, CO II's assigned to the Community Corrections Bureau and the institutional CO IIIs shall serve the Warrant of Arrest within ten workdays of return to the Department custody and ensure the offender is provided a full copy of the Warrant of Arrest to include the Proof of Warrant Service.
    - 18.8.1.1 If an offender is in custody in a local jail, the warrant with a Proof of Warrant Service shall be served within ten workdays of receipt, unless extenuating circumstances exist.
    - 18.8.1.2 If the offender cannot be served due to court appearances, medical reasons, etc., the warrant shall be served within ten workdays of being advised that the offender is available for service.
  - 18.8.2 The designated Community Corrections Bureau staff shall enter the completed Proof of Warrant Service into the Offender Management System (OMS) Warrant System.
    - 18.8.2.1 For ISC offenders, the Warrant Services/Hearings Unit shall provide the Probable Cause Hearing results to the supervising CCO and ISC ADC Deputy Compact Administrator within five business days of the hearing. The CCO shall submit the findings to the sending state within one workday via the ICOTS.

- 18.8.3 Community Corrections Bureau staff may complete warrant service on offenders who are returned directly to a Department institution by fax or other electronic authorized means. The CCS or designee shall track the warrant service for completion within five workdays and enter the Proof of Warrant Service into the OMS Warrant System.
- 18.9 Warrant Services/Hearings Unit Processing – Upon receipt of a warrant for absconds/escapes, or as requested by a CCS/CCO Senior or Community Corrections Manager, the Warrant Services/Hearings Unit shall oversee the entry into ACIC/NCIC.
- 18.9.1 When the Warrant Services/Hearings Unit receives a copy of the served warrant for an offender on Parole, Work Furlough or Home Arrest, or TIS subject to ABOEC revocation, the Warrant Services/Hearings Unit staff shall notify the ABOEC to arrange a Preliminary/Probable Cause and/or Revocation/Rescission Hearing and forward the warrant to the ABOEC within 30 calendar days from the date the offender is returned to Department custody.
- 18.9.1.1 For offenders on TIS release who request a Probable Cause Hearing, the served warrant shall be forwarded to the ABOEC within seven calendar days for processing by the ABOEC.
- 18.9.1.2 All completed/served warrants shall be forwarded to the ABOEC a minimum of one time per week for scheduling by the ABOEC.
- 18.9.1.3 An Administrative Release Warrant after service and the offender has not waived the Revocation Hearing, Warrant Services/Hearings Unit staff shall schedule a Revocation Hearing. If the offender waives the Revocation Hearing, the inmate shall be reclassified to inmate status.
- 18.10 Interstate Compact Warrants – Within three workdays of a Department jail hold on an ISC offender, the completed ISC Violation Report shall be submitted to the ISC Unit. The Warrant of Arrest shall be submitted to the Warrant Services/Hearings Unit within three workdays of the Department jail hold.
- 18.10.1 The ISC Unit shall submit the ISC Violation Report to the sending state within one workday of receipt.
- 18.10.2 Upon receipt of the ISC Violation Report, the ISC ADC Deputy Compact Administrator or designee shall submit an email request to Warrant Services/Hearings Unit within one workday requesting the ISC Probable Cause Hearing Notification/Waiver form.
- 18.10.3 The ISC Unit shall provide their offender file to Warrant Services/Hearings Unit upon submission of the above email notification.
- 18.10.4 The Warrant Services/Hearings Unit shall provide the required hearing forms to the assigned CCO, CCO Senior, or CCS and copy the ISC ADC Deputy Compact Administrator within two workdays for service to the offender.

- 18.10.5 The ISC Probable Cause Hearing Notification/Waiver form shall be served to the offender and returned to Warrant Services/Hearings Unit within two workdays. The offender shall be provided a copy of the ISC Violation Report and non-privileged, non-confidential exhibits.
- 18.10.6 Upon receipt of the signed ISC Probable Cause Hearing Notification/Waiver form indicating the offender has requested a Probable Cause Hearing, the Warrant Services/Hearings Unit shall conduct the scheduled hearing and provide the results to the CCO, CCO Senior, CCS, and the ISC ADC Deputy Compact Administrator via email within five workdays.
- 18.10.7 Upon receipt of probable cause hearing results, the ISC Unit shall ensure adherence to the ICAOS Rules for retaking or reinstatement.
- 18.10.8 The ISC Unit shall maintain the original violation file.
- 18.10.9 Within one workday of notification of the Probable Cause Hearing results or Hearing Notification/Waiver, the assigned CCO shall notify the sending state of the hearing results via ICOTS.
  - 18.10.9.1 When probable cause is found and the offender is subject to retaking, the assigned CCO shall track the custody status of the offender. A Case Closure Notice shall be submitted via ICOTS after the offender is retaken by the sending state. If a Case Closure Notice had previously been submitted, the CCO shall send an email notification to the ISC ADC Deputy Compact Administrator or designee advising that the offender has been retaken.
- 18.10.10 The sending state shall lodge a warrant and hold upon a finding of probable cause or upon apprehension of an absconder.
- 18.10.11 If no action has been taken to retake the offender within ICAOS Rules time frames, the ISC Unit shall call the sending states Compact Administrator to determine that state's intentions.
- 18.10.12 The ISC ADC Deputy Compact Administrator shall determine the final disposition regarding the violation, or the closing of interest in an ISC case.
- 18.11 Amending Warrants – A served Warrant of Arrest may be amended upon receipt of additional information. An amended warrant replaces the original warrant and requires a new Proof of Warrant Service form to the offender.
  - 18.11.1 The new Proof of Warrant Service form shall be scanned into the OMS Warrant System within three workdays of receipt from the institution or warrant service authority.
- 18.12 Tracking Offenders through the Revocation/Confinement Process - The supervising officer shall initiate a tracking process to monitor offenders/inmates who are in any type of confinement, to include ISC offenders.
  - 18.12.1 CCOs shall provide new and/or updated information about an in-custody offender with the Warrant Services/Hearings Unit Hearings Officers.

18.12.2 The Warrant Services/Hearings Unit shall provide an ABOEC agenda to all Community Corrections Bureau staff at a minimum of twice monthly.

18.12.3 The ABOEC agenda shall be disseminated by the Warrant Services/Hearings Unit in order to notify the supervising officer of the date of the offender's assigned Revocation Hearing before the ABOEC. In addition, the CCO shall be notified if Status of Charges (SOC) is needed and if their participation either telephonically or in person is requested or required.

**19.0 DUE PROCESS HEARINGS** – The Community Corrections Bureau staff shall initiate due process in accordance with Department Order #1004, Inmate Transfer System.

19.1 The designated Community Corrections Bureau staff shall request the offender sign the Proof of Warrant Service, Form 1003-20, at the time of service of the warrant. Should the offender refuse to sign, Community Corrections Bureau staff shall document this refusal with the words "refused to sign" in the space provided for the offender's signature. The offender's refusal to sign the Proof of Warrant Service form shall be deemed as a request on the part of the offender for an ISC Probable Cause Hearing, an ABOEC Probable Cause Hearing or an Administrative Revocation Hearing.

19.1.1 The designated staff shall advise the offender:

19.1.1.1 That the offender may request a Probable Cause or Administrative Revocation Hearing.

19.1.1.2 Of the right to waive an ABOEC Probable Cause Hearing (PC) or Administrative Revocation Hearing. If the offender elects to waive the hearing the designate staff shall have the offender indicate by signature, date and initialing the appropriate box.

19.1.2 The offender may withdraw the waiver of any hearing. This withdrawal must be completed in writing (signed, dated, and witnessed), and forwarded to the Warrant Services/Hearings Unit no later than five workdays from the date of waiver.

19.1.3 The Community Corrections Bureau staff or designee shall sign the Proof of Warrant Service form.

19.1.4 The designated staff shall scan the completed Proof of Warrant Service form into the OMS Warrant System within three workdays.

19.1.5 The Proof of Warrant Service form shall be completed within ten workdays upon the return to custody of the offender within the state of Arizona.

19.2 Administrative Revocation Hearings are conducted for offenders supervised on a Department Administrative Release, including offenders on Temporary Release reverting to a TIS, Early Release Credit (ERC), with an offense date prior to July 13, 1995 and the legislative post-release Transition Program. ISC Probable Cause Hearings are conducted for offenders supervised under the terms of ISC.

19.2.1 When an Administrative Release offender declines to waive the hearing, the CCO shall contact the Warrant Services/Hearings Unit to schedule a hearing. The Warrant Services/Hearings Unit shall assign a Hearing Officer, and schedule a date and location of the hearing.

- 19.2.2 The Warrant Services/Hearings Unit shall schedule and complete an Administrative Revocation Hearing, within 30 calendar days following detainment of the offender by either a Department jail hold or date of return to custody and forward the Administrative Probable Cause/Rescission Hearing-Notification/Waiver, Form 1003-23A, to the CCO. The CCO shall ensure the Hearing Notification is served to the offender within a minimum five calendar days prior to the hearing date.
- 19.2.3 ISC - The Probable Cause Hearing shall be completed within 15 calendar days of the date that the ISC Unit and the Warrant Services/Hearings Unit are notified of the offender's arrest and the Department's jail hold being placed.
  - 19.2.3.1 The Warrant Services/Hearings Unit shall provide the ISC Probable Cause Hearing Notification/Waiver, Form 1003-24A, to the assigned supervising CCO, CCO Senior and copy the ISC ADC Deputy Compact Administrator within two workdays for completion of service to the offender.
  - 19.2.3.2 The ISC Probable Cause Hearing Notification/Waiver form shall be served to the offender at least five calendar days prior to the scheduled hearing.
- 19.2.4 The appropriate staff shall distribute the signed ISC Probable Cause Hearing Notification/Waiver form, by forwarding one copy to the offender, one copy to the institution Offender Information Unit, and one copy to the Warrant Services/Hearings Unit.
- 19.3 The Hearing Officer shall record all Administrative (Revocation) and ISC (Probable Cause) Hearings and shall maintain the tapes for a minimum of six months.
  - 19.3.1 Upon completion of the Administrative or ISC hearing, the Hearing Officer shall complete the applicable Administrative Probable Cause/Rescission Hearing - Notification/Waiver form or the ISC Probable Cause Hearing Notification/Waiver form, the Administrative Probable Cause Hearing Summary, Form 1003-23B, or the ISC Probable Cause Hearing Summary, Form 1003-24B, within five workdays and distribute copies to the ISC ADC Deputy Compact Administrator, CCO, offender or offender's Attorney, and Hearing Officer's file within six workdays.
    - 19.3.1.1 Upon completion of a hearing in which probable cause has been found and prior to the distribution of the Administrative Probable Cause/Rescission Hearing - Notification/Waiver form or the ISC Probable Cause Hearing Notification/Waiver form, the Hearing Officer may forward the form(s) to the Community Corrections Operations Director for consideration of reinstatement.
    - 19.3.1.2 If forwarded for review, the Hearing Officer shall complete a memorandum to the Community Corrections Operations Director or designee and provide detailed information to support the recommendation for reinstatement. If approved, the memorandum shall be attached to all copies of the Administrative Probable Cause/Rescission Hearing-Notification/Waiver, form or the ISC Probable Cause Hearing Notification/Waiver form for distribution.

- 19.4 In an Administrative Revocation Hearing, the Hearing Officer shall advise the offender of the right to appeal, and shall attach a Notice of Right to Appeal to the offender's or the offender's Attorney's copy of the Administrative Probable Cause/Rescission Hearing –Notification/Waiver form or the ISC Probable Cause Hearing Notification/Waiver form.
  - 19.4.1 Any appeal must be made within five workdays of receipt of the Summary and Decision Report form and shall be made to the Community Corrections Operations Director or designee.
    - 19.4.1.1 The Community Corrections Operations Director or designee has ten workdays to make a decision. The decision shall be final.
  - 19.4.2 A finding of probable cause for an ISC offender is preliminary to the formal hearing the offender shall receive in the sending state; therefore, no further appeal is available within the Department.
- 19.5 The Hearing Officer shall notify the Offender Services Bureau, Time Computation Unit within one workday following the completion of the Summary and Decision Report form with the results or postponement of any Administrative Revocation Hearing.
- 19.6 Preliminary Hearings are conducted by the ABOEC for offenders being supervised on Parole, Work Furlough, or Home Arrest, or on a TR reverting to a TIS ERC with an offense date on or after July 13, 1995, or any TIS offender who has passed the ERCD at the time the warrant was issued.
  - 19.6.1 An ABOEC Hearing Officer shall schedule the preliminary hearing date, and forward the notice of hearing form to the CCO or institutional staff within a minimum of five workdays prior to the hearing date.
    - 19.6.1.1 If forwarded, the appropriate staff shall ensure the notice of hearing form is served to the offender.
    - 19.6.1.2 The appropriate staff shall distribute the signed notice of hearing form, by forwarding one copy to the ABOEC, one copy to the offender, and one copy to the institution Offender Information Unit.
- 19.7 If probable cause is established when the ABOEC completes the preliminary hearing, the ABOEC Hearing Officer shall notify the Offender Services Bureau. The ABOEC schedules a revocation hearing according to its procedures and shall notify the Warrant Services/Hearings Unit. The Warrant Services/Hearings Unit shall notify all Community Corrections Bureau staff of the schedule.
- 19.8 When an Administrative Revocation, ISC Preliminary Hearing, ABOEC Preliminary or Revocation Hearing is conducted, the CCO shall:
  - 19.8.1 Appear at the hearing, unless the violation(s) in the warrant was based solely upon a new felony conviction, pursuant to A.R.S. §13-708 – Offenses committed while released from confinement or the Warrant Services/Hearings Unit has advised the CCO attendance is not necessary.
  - 19.8.2 Notify and request the attendance of any witnesses named on the exhibit section of the warrant. The Hearing Witness Notification may be in writing.



- 19.8.3 If witnesses are expected to appear at a hearing, give prior notice to the institution's Board Liaison or custodial authority for entrance procedures.
- 19.8.4 Be prepared to testify in support of the allegation and current status of any pending criminal charges.
- 19.8.5 Comply with the Professional Business Attire, as outlined Department Order #503, Employee Grooming and Dress.
- 19.9 The Warrant Services/Hearings Unit shall annotate all hearing results in the designated ADC database.
- 19.10 Reinstatements/No Probable Cause Found – Upon notification that no probable cause was found or an offender was reinstated to Community Supervision, the CCO shall monitor impending release appointments for completion of ADC time computation actions and ABOEC results/special condition directives.
  - 19.10.1 ABOEC Reinstatements which require Approved Community Placement shall be conducted in accordance with Community Connections pre-release investigation guidelines. The offenders' release shall be processed upon approval of the Community Placement.
  - 19.10.2 ABOEC Reinstatements not requiring Approved Community Placement: All reinstatements not requiring ABOEC mandated community placements shall be processed within one workday of the completed time computation actions.
  - 19.10.3 The only exception shall be all ABOEC granted releases which must have an approved placement, in which case Community Corrections Bureau staff shall process a community investigation.
- 19.11 If reinstated by the ABOEC, an offender may be eligible to submit an ISC transfer request at any time after release from custody.
  - 19.11.1 If an offender is accepted for ISC transfer, the acceptance is valid for 120 calendar days, in accordance with ISC guidelines. The CCO shall process the reporting instructions and travel permit in accordance with ISC departure guidelines.

## 20.0 DETAINERS AND JAIL HOLDS

- 20.1 Release to Detainer – Upon receipt of a detainer packet prepared by the institution, as outlined in Department Order #1001, Inmate Release System, the designated staff shall complete the Pre-Release Investigation Report and Release Authorization form and submit it to a Community Corrections Bureau Administrator or designee for final approval.
  - 20.1.1 The Pre-Release Investigation Report and Release Authorization form shall include release information directing the offender to contact the Warrant Services/Hearings Unit, if released from the detainer prior to expiration of sentence. Detainer packets for offenders that are "not eligible" for deportation shall include release information directing the offender to contact a field office, if released from detainer prior to expiration of sentence.

- 20.1.1.1 Community Corrections Bureau staff shall provide the releasing institution, the Conditions of Supervision and Release form, directing the offender to report to the Warrant Services/Hearings Unit within one workday of release from the detainer.
- 20.1.1.2 If an offender who was released to a United States ICE detainer is deported to their country of origin prior to their supervision end date, the assigned CCO shall verify the deportation with ICE. The CCO shall document the case file and complete the file closeout.
- 20.1.2 ICE Detainers – For all offenders that were originally released to an ICE detainer and then reported to Community Corrections upon discharge from ICE custody.
  - 20.1.2.1 The CCO shall advise the Warrant Services/Hearings Unit staff of the offender’s arrival to Community Corrections during intake.
  - 20.1.2.2 The Warrant Services/Hearings Unit shall complete immediate notification to the Offender Services Bureau-ICE Liaison in order to complete verification of the offender’s Criminal Alien status and complete any required OMS entries.
    - 20.1.2.2.1 The Offender Services Bureau Liaison shall update the designated Department database and coordinate issuance of the Department Release Identification (ID) card.

## 20.2 Placement/Removal of Department Jail Holds

- 20.2.1 The CCO shall conduct jail holds/releases through the Community Corrections Warrant Services/Hearings Unit during standard business hours to include the full name, inmate number, date of birth and booking number of the offender, and the name of the staff member initiating the request and annotate all actions.
- 20.2.2 The Warrant Services/Hearings Unit shall:
  - 20.2.2.1 Release all Department jail holds upon Time Computation’s verification once jailed offender has reached the Community Supervision End Date (CSED).
  - 20.2.2.2 Notify the Central Office Communications Center for all offenders who reach their CSED on a weekend or holiday. Central Office Communications Center shall release hold and forward a copy to the Warrant Services/Hearings Unit.
  - 20.2.2.3 Update the Release Violator information with the offender’s CSED indicating completion of Community Supervision.
- 20.2.3 A CCO, CCS/CCO Senior or Community Corrections Manager shall authorize placement of a Department jail hold on any arrested offender known to be an absconder or escapee from active supervision or who is believed to be the subject of a new felony arrest.

- 20.2.4 A CCO, CCS/CCO Senior or Community Corrections Manager shall authorize placement of a Department jail hold on any offender who is believed to be the subject of a new misdemeanor arrest involving violence and/or crimes against children, or whose actions have resulted in contact with a law enforcement agency, in accordance with the following criteria:
  - 20.2.4.1 When there is reasonable cause to believe that the offender will abscond if released from custody or that the continued presence of the offender in the community would present a danger to the offender, to another person, or to property.
  - 20.2.4.2 After evaluating past criminal history, propensity for violence, and current community programming to determine reasonable cause to place a Department jail hold.
- 20.2.5 The CCO/Warrant Services/Hearings Unit staff shall document each change of status per area of responsibility within two business days of an arrest.
- 20.2.6 ACIC/NCIC - The Warrant Services/Hearings Unit shall enter into the ACIC system the name and relevant data of any offender who is a subject of a Department Warrant of Arrest and who is not in custody.
  - 20.2.6.1 The Warrant Services/Hearings Unit may make entries into ACIC and/or the NCIC to facilitate the retaking of fugitives from active supervision.
  - 20.2.6.2 The Warrant Services/Hearings Unit and Central Communications shall obtain a warrant number prior to the ACIC/NCIC entries.
  - 20.2.6.3 NCIC entries shall not be made on Interstate Compact offenders unless a determination is made by the CCS/CCO Senior that the continued presence of the offender in the community poses an immediate threat to the safety of the public.
  - 20.2.6.4 NCIC entries shall be in accordance with the Arizona Criminal Justice Information System "Temporary Want" designator code and shall automatically be canceled after 48 hours. Extensions shall be approved by the Community Corrections Manager.
  - 20.2.6.5 The Warrant Services/Hearings Unit, upon apprehension of the fugitive, shall clear the ACIC/NCIC.
- 20.2.7 The Warrant Services/Hearings Unit shall:
  - 20.2.7.1 Enter into the ACIC/NCIC system the name and relevant data of any offender who is the subject of a Department Warrant of Arrest and who is believed to be an out of state fugitive under supervision of the Community Corrections Bureau.
  - 20.2.7.2 Complete an entry into the OMS Warrant System for any Arizona offender on absconder or escape status who is entered into ACIC and/or NCIC.

- 20.2.7.3 Complete all Department documentation on any offender whom an ACIC and/or NCIC entry has been made.
- 20.2.7.4 Complete a daily arrest list for distribution to all Community Corrections Bureau staff. The ABOEC shall be included in the daily distribution.

## **21.0 ADMINISTRATIVE OPERATIONS**

- 21.1 Community Corrections office hours are 8:00 AM to 5:00 PM, Monday through Friday.
  - 21.1.1 Community Corrections officers shall be required to work flexible/variable evening and weekend hours as deemed appropriate for case management.
- 21.2 Employee Training
  - 21.2.1 All new Community Corrections staff shall:
    - 21.2.1.1 Successfully complete all required training respective to their designated area of responsibility-
    - 21.2.1.2 Satisfactorily complete Community Corrections Bureau required training within six months of completing the Community Corrections Academy.
  - 21.2.2 All Community Corrections staff shall complete the Department Core training in accordance with Department Order #509, Employee Training and Education and the designated Community Corrections specific training.
- 21.3 State Equipment Inventory – In accordance with Department Order #304, Inventory and Fixed Assets Management, Community Corrections Bureau staff shall complete a State Property Receipt/Return, Form 304-2, when issued any state property.

## **RESTRICTED SECTIONS**

**22.0 OFFENDER CONTACT – FREQUENCY AND METHOD – RESTRICTED**

**23.0 GLOBAL POSITIONS SYSTEM/ELECTRONIC MONITORING – RESTRICTED**

**24.0 FIELD SUPERVISION – SEARCH AND SEIZURE – RESTRICTED**

**25.0 ARREST OF OFFENDER – RESTRICTED**

**26.0 WEAPONS AND USE OF FORCE – RESTRICTED**

## **IMPLEMENTATION**

The Division Director for Inmate Programs and Reentry shall update and maintain the Community Corrections Technical Manual, which addresses the activities outlined in this Department Order.

## **DEFINITIONS/GLOSSARY**

Refer to the Glossary of Terms

## **FORMS LIST**

1003-13, Warrant of Arrest  
1003-14, ABOEC - Community Corrections Progress Report  
1003-20, Proof of Warrant Service  
1003-22, Interstate Compact Application for Inmates/Offenders  
1003-23A, Administrative Probable Cause/Rescission Hearing – Notification/Waiver  
1003-23B, Administrative Probable Cause Hearing Summary  
1003-24A, ISC Probable Cause Hearing Notification/Waiver  
1003-24B, ISC Probable Cause Hearing Summary  
1003-25, Consent to Placement - Convicted Sex Offender  
1003-27, Request for Arming – Community Corrections

## **AUTHORITY**

A.R.S. Title 13, Criminal Code  
A.R.S. Title 31, Prisons and Prisoners  
A.R.S. Title 32, Professions and Occupations  
A.R.S. Title 36, Public Health and Safety  
A.R.S. Title 41, State Government