ECRM > Intake >Division of Community Corrections – Intake > Rules of Community Supervision

AUTHORITY

Wisconsin Administrative Code-DOC 328.04(3)

RULES OF COMMUNITY SUPERVISION

Upon first contact with DCC staff, the Rules of Community Supervision shall be reviewed with the client and a copy provided to the client. Local practices for intake may vary. Therefore, if an OOA reviews the rules and provides a copy to the client, the DOC-10 may be used. When an agent performs this function upon the client's first contact with the office or any time thereafter, the Rules of Community Supervision and Standard Special Rules of Supervision (DOC-10SP) available in COMPAS must be utilized unless one of the pre-determined special rules does not address the expectation for the client. Anytime that rules are initiated or modified, the rules must be reviewed with the client as well as a copy provided. The paper process will continue to be utilized for clients whose primary language is Spanish or Hmong. The English version of those rules must then be entered in COMPAS.

For sex offenders, the Standard Sex Offender Rules must also be completed and reviewed.

Certain rules must be marked as confidential in COMPAS. Confidential rules are those rules that relate to protected health or treatment information that cannot be disclosed without the client's informed written consent. Confidential information includes Protected Health Information (PHI), victim information (addresses, phone numbers, etc.), or confidential treatment and diagnosis information. PHI is defined as individually identifiable health information transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium.

In the event that a client refuses to sign the rules, the DCC staff person will secure the presence of another agent or other witness and read, in full, the rules to the client. The other agent or witness will note on the bottom of the rules that, in his or her presence, the rules were read to the client, and will sign and date the form. A signed copy will be provided to the client.

Court-ordered conditions of supervision should not routinely be added to the rules for medium and higher risk clients. Other rules may be added at the discretion of the supervising agent.   Agents who have not yet attained senior status need to have approval of the supervisor to add special rules, until such time as the supervisor determines competency in their decision making processes in this area. It is incumbent upon the supervisor to review the relevancy of special rules during the intake review, violation staffings and through the regular staffing process.

Additional rules should bear a reasonable relationship to the rehabilitation of the client and to the protection of the public; they should not be so broad or vague that the client does not know how to comply; and they should be reasonable so the client can comply with the special conditions. Modified or Special Rules should directly relate to the current offense or past offenses. Modified or Special Rules can be based on a client's behavior for which they may not have not been convicted, but have demonstrated behaviors which would justify adding a modified or special rule. When imposing special rules, the agent must consider the ability to detect a violation of the rule and willingness and ability to hold the client accountable for violation of the rules.

In addition, the agents shall copy any special rule which directly impacts public safety, and custody is consistent with the EBRV response, into the Cautionary Information under the drop down "Special Rules." A new entry shall be made for each rule warranting custody. The special rules entered into the Cautionary Information module will inform the monitoring center which special rule violations warrant a hold should law enforcement contact after hours. Entries into Cautionary Information for this purpose should be reviewed for continued applicability at least every 6 months or when completing the CSR.

The agent will inform the client of the sanctions for not abiding by their rules.

Note: If adding victim names to the special rules for the purpose of no contact, use the victim name as written in the criminal complaint. For other names that are added as no contacts, use the proper name by which the client knows the person. Juveniles may be added only as identified in the criminal complaint or, in circumstances when a criminal complaint is not issued, by initials only. The agent should make clear to the client to whom the no contact refers and document the conversation in COMPAS notes. For additional guidance regarding special victim circumstances, the agent may contact the county victim witness coordinator to determine how to address sensitive victim concerns.

Creating Rules in COMPAS

Standard Rules, Sex Offender Rules, and Special Rules shall be completed by opening the Conditions module in COMPAS under the client's current Lifecycle.

Standard Rules:

The pre-loaded Standard Rules of Supervision may not be edited, altered, or removed.

1. Open the client's person record and select the case. If the client is new or there is not an open current lifecycle, initiate the appropriate assessment so that the rules can be entered.
2. Select *Rules of Supervision* then click on *Actions* then *Recommended Conditions*.
3. From the *Filter Condition by Type* dropdown box, chose *Standard Rules of Supervision.*
4. When the Standard Rules appear, check the box for *Select All Conditions* then click *Save* to finish.
5. To print, choose *Actions* and select *Print*. All of the rules that are selected will print, including standard, sex offender, and special rules.

Sex Offender Rules:

As with Standard Rules of Supervision, the Standard Sex Offender Rules are intended to apply to all sex offenders. However, in rare instances, a rule may be waived with consultation, justification, and approval.

1. Open the *Rules of Supervision* module under the client's current lifecycle.
2. Choose *Actions* then *Recommended Conditions.*
3. Choose *Sex Offender* from the *Filter Condition by Type* dropdown box.
4. Once the Standard Sex Offender rules appear, check the box for *Select All Conditions.* Fill in any blank fields in the rules as needed (i.e. no contact information, curfew hours, etc.) then click *Save* to finish.
5. To print, choose *Actions* and select *Print*. All of the rules that are selected will print, including standard, sex offender, and special rules.

Special Rules:

Note: DHS rules for clients supervised under Chapter 980 and Conditional Release patients should have special rules entered into COMPAS only if those DHS rules would be pertinent to the on-call supervisor or for an after-hours law enforcement/monitoring center custody decision.

1. Open the *Rules of Supervision* module under the client's current lifecycle.
2. Choose *Actions* then *Recommended Conditions*.
3. Choose *Special Rules* from the *Filter Condition by Type* dropdown box.
4. Choose the pre-determined special rule(s) based on crime typology and as appropriate based on the case dynamics, fill in any blank fields in the rules as needed (i.e. no contact information, curfew hours, etc.) then check the box next to each rule then click *Save* to finish. In limited circumstances, it may be necessary to script a unique special rule. This should only be done if one of the pre-determined special rules does not address the expectation of the client.
5. To print, choose *Actions* and select *Print*. All of the rules that are selected will print, including standard, sex offender, and special rules.

<u>Review of Special Rules:</u>

Special Rules of supervision will be reviewed every six months when completing CSR and will be reviewed with the client and re-signed with a copy to the client on a yearly basis. Special rules added to Cautionary Information should also be reviewed at this time to ensure continued applicability. In accordance with the Intrastate Transfer section of the ECRM, the special rules of supervision shall be reviewed by the sending agent at the time of a transfer and shall be reviewed and re-signed with the receiving agent. This process is not necessary if the case is being transferred within the unit for purpose of coverage due to vacancies or extended leave.

<u>Modification of Special Rules:</u>

The most recent version of the rules are retained in COMPAS. If the rules need to be modified, follow the process for adding a Special Rule.

1. To delete or modify an existing special rule, on the main *Rules of Supervision* page, filter to show only *Special Rules.*
2. Click on the pencil icon to the left of the selected rule, then modify as needed or choose *Delete* then click *Save* to finish.
3. To delete multiple rules, choose *Actions*, then select *Delete Rules of Supervision*. Then check the box next to the rules to be deleted or click the *Check All* box to remove all rules. Click *Delete* and the rules selected will be deleted. This action can only be applied to Special Rules.

4. To print, choose *Actions* and select *Print*. All of the rules that are selected will print, including standard, sex offender, and special rules.

<u>Confidential Rules:</u>

1. Open the *Rules of Supervision* module under the client's current lifecycle.
2. Choose *Actions* then *Recommended Conditions*.
3. Choose *Confidential Rules* from the *Filter Condition by Type* dropdown box.
4. When the Confidential Rules appear, choose either predetermined rules available or type the confidential rule(s) then check the box next to each rule then click *Save* to finish.
5. To print, choose *Actions* and select *Print*. All of the rules that are selected will print, including standard, sex offender, and special rules.